XIV

BENGAL SECRETARIAT LIBRARY

THE

BURMA FOREST ACT, 1881,

AS AMENDED BY

ACT V OF 1890

(An Act to amend the Indian Forest Act, 1878, and the Burma Forest Act 1881),

AND

ACT XII OF 1891

(An Act to repeal certain Obsolete Enactments and to amend certain other Enactments),

WITH

NOTIFICATIONS, RULES, AND DEPARTMENTAL DIRECTIONS ISSUED THEREUNDER

CORRECTED UP TO THE 3RD MARCH 1892.

RANGOON

PRINTED BY THE SUPDT, GOVERNMENT PRINTING, BURMA

1892

CONTENTS.

Page.

The Burma Forest Act, 1881, as amended by Act V of 1890 ... 1—22

Notifications, Rules, and Departmental Directions under the Burma Forest Act, 1881.

Notification of the date on which the Act came into force 23

Notification regarding officers appointed to hear appeals from orders passed by Forest Settlement Officers ... ... *ib.*

Notification of certain trees as reserved trees, ... *ib.*

Notification regarding the duty leviable on timber floated down the Salween and its tributaries 24

Notifications regarding the floating of timber 25

Notification directing that certain unmarked timber shall be deemed to be the property of Government ... ... *ib.*

Notification exempting certain timber from the provisions of the above notification ... ... *ib.*

Notification empowering Forest Officers to compound offences 26

Notification directing that certain fines shall be levied for cattle impounded in fire-traced reserves ... ... *ib.*

General Rules under the Act for all Districts except those of the Arakan Commissionership.

Section I.—Rules relating to reserved forests 27

Section II.—Rules relating to reserved and unreserved trees and forest produce 28

Section III.—Rules relating to the control of timber in transit 29

Section IV.—Rules relating to the salving, collection, and disposal of drift, stranded, and other timber 34

Section V.—Rules relating to miscellaneous matters 37

Appendix.—Forms of licenses ... ...38—48

Special Rules for the Thandaung reserve.

Rules 49

General Rules under the Act for the Arakan division.

Rules 50

Special Rules for village forest in the Thayetmyo district.

Rules ... ...52—53

Departmental directions for the guidance of Forest Officers and for the information of the public.

(1)—Regarding reserves 54

(2)—Regarding Government timber sales ... ... *ib.*

(3)—Regarding hammer-marks and drift timber 55

(4)—Regarding management of Kado timber station ... .56—58

Forms for Kado timber station .. ..59—64

THE BURMA FOREST ACT, 1881, AS AMENDED BY ACT V OF 1890 (AN ACT TO AMEND THE INDIAN FOREST ACT, 1878, AND THE BURMA FOREST ACT, 1881).

CONTENTS.

PREAMBLE.

CHAPTER I.

PRELIMINARY.

SECTIONS.

1. Short title.
   Local extent.
   Commencement.
2. Repeal of enactments.
3. Interpretation clause.
4. Saving of rights of profit from the Burma Land and Revenue Act, 1876.

CHAPTER II.

OF RESERVED FORESTS.

5. Power to reserve forests.
6. Notification by Chief Commissioner.
7. Proclamation by Forest Settlement Officer.
8. Bar of accrual of forest rights.
   Prohibition of building, clearing, &c.
9. Inquiry by Forest Settlement Officer.
10. Powers of Forest Settlement Officer.
11. Claims relating to practice of taungya cultivation how dealt with.
12. Power to acquire land over which right is claimed.
13. Order on claims to rights-of-way, water-course, pasture, and to forest produce.
14. Provision for rights of pasture or to forest produce admitted.
15. Commutation of such rights.
16. Appeal from order passed under foregoing sections.
17. Appeal under section 16.
    Hearing of appeals.
18. Notification declaring forest reserved.
19. Extinction of rights not claimed.
20. Publication of translation of such notification in neighbourhood of forest.
21. Power to revise arrangement made under section 11, 14, or 17.
22. No right acquired over reserved forest except as here provided.
23. Rights not to be alienated without sanction.

SECTIONS.

24. Power to stop ways and water-courses in reserved forests.
25. Penalties for trespass or damage in reserved forests.
26. Acts prohibited in such forests.
27. Acts excepted from prohibition contained in sections 25 and 26.
28. Penalty for offence committed by persons having rights in reserved forests.
29. Power to declare forest no longer reserved.
30. Forests reserved under former rules

CHAPTER III.

OF VILLAGE FORESTS.

31 Constitution of village forests.
32. Teak trees in village forest the property of Government.
33. Power to make rules for village forests.
34. Saving of private rights.
Power to enquire into and deal with such rights.

CHAPTER IV

OF THE PROTECTION OF CERTAIN TREES AND NATURAL PRODUCE.

35. Reserved trees.
36. Protection of reserved trees.
37. Power to make rules generally.
Penalties for acts in contravention of rules.
38. Nothing in this chapter to prohibit acts done in certain cases

CHAPTER V

OF THE DUTY ON TIMBER AND OTHER FOREST PRODUCE

39. Power to impose duty on timber or other forest produce.
Power to fix value for *ad valorem* duty.
40. Duty on certain timber floated down the Ataran.
41. Power to exempt timber or other forest produce from duty.
42. Provisions of chapter not to limit purchase-money or royalty

CHAPTER VI.

OF THE CONTROL OF TIMBER AND OTHER FOREST PRODUCE IN TRANSIT.

43. Power to make rules to regulate transit of timber or other forest produce.
44. Penalties for breach of rules made under section 43.
45 All persons bound to aid in case of accident at station

CHAPTER VII.

Of the Collection of Drift, Stranded, and other Timber.

Sections.

46. Certain kinds of timber to be deemed property of Government until title thereto proved.
Power to collect the same.
47. Notice to claimants of drift-timber.
48. Procedure on claim preferred to such timber.
On rejection of claim to such timber, claimant may institute suit.
49. Disposal of unclaimed timber.
50. Payments to be made by claimant before timber is delivered to him.
51. Power to make rules and prescribe penalties.

CHAPTER VIII.

Penalties and Procedure.

52. Seizure of property liable to confiscation.
Report to Magistrate.
53. Procedure thereupon.
54. Timber, forest produce, tools, &c., when liable to confiscation.
55. Disposal, on conclusion of trial for forest offence, of produce in respect of which it was committed.
56. Procedure when offender not known or cannot be found.
57. Procedure as to perishable property seized under section 52.
58. Appeals from orders under sections 54, 55, and 56
59. Property when to vest in Government.
60. Saving of power to release property seized.
61. Punishment for wrongful seizure
62. Penalty for counterfeiting or defacing marks in trees and timber and for altering boundary marks.
63. Power to arrest without warrant.
64. Power to prevent commission of offence.
65. Operations of other laws not barred.
66. Power to compound offences.
67. Presumption that timber or forest produce belongs to Government.

CHAPTER IX.

Cattle Trespass.

68. Cattle-trespass Act, 1871, to apply.
69. Power to alter fines fixed by that Act.

CHAPTER X.

Of Forest Officers.

70. Chief Commissioner may invest Forest Officers with certain powers.

SECTIONS.

71. Forest Officers deemed public servants.
72. Indemnity for acts done in good faith.
73. Forest Officers not to trade.

CHAPTER XI.

MISCELLANEOUS.

74. Additional powers to make rules.
75. Rules when to have force of law.
Powers of Chief Commissioner exercisable from time to time.
76. Persons bound to assist Forest Officer and Police Officer.
77. Recovery of money due to Government
78. Lien on forest produce for such money.
Power to sell such produce.
79. Government and its officers not liable for loss or damage in respect of certain timber.
80. Land required under this Act to be deemed to be needed for a public purpose under Land Acquisition Act.
81. Recovery of penalties due under bond.

SCHEDULE.—ENACTMENTS REPEALED.

BENGAL SECRETARIAT LIBRARY

ACT No. XIX OF 1881.

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor-General on the 31st August 1881.)

AMENDED BY ACT V OF 1890.

An Act to amend the law relating to forests, forest produce, and the duty leviable on timber in Lower Burma.*

Preamble

WHEREAS it is expedient to amend the law relating to forests, forest produce, and the duty leviable on timber in Lower Burma, It is hereby enacted as follows.—

CHAPTER I.

PRELIMINARY.

Short title.

1. This Act may be called "The Burma Forest Act, 1881."

Local extent.

It extends to all the territories for the time being administered by the Chief Commissioner of Lower Burma, provided that the Chief Commissioner may, by notification in the official Gazette, exempt any place from its operation, but not so as to affect anything done, or any offence committed, or any fine or penalty incurred, or any proceedings commenced in such place before such exemption, and

Commencement.

it shall come into force on such day as the Chief Commissioner may, by notification in the official Gazette, direct.

2. † * * * * *

Interpretation clause

3. In this Act, and in all rules made hereunder, unless there is something repugnant in the subject or context,—

"Forest Officer;"

"Forest Officer" means all persons appointed by name or as holding an office by or under the orders of the Governor-General in Council or the Chief Commissioner to be—

Conservators, Deputy Conservators, Assistant Conservators, Sub-Assistant Conservators, Forest Rangers, Foresters, or Forest Guards,

The territories are now known as Lower Burma [*see* Act XX of 1886, section 2 (1) (*b*)], and the Chief Commissioner is styled Chief Commissioner of Burma (*see* proclamation, dated the 26th September 1886, at page 539, Part I, *Gazette of India*).

† Repealed by Act XII of 1891.

or to discharge any function of a Forest Officer under this Act or any rule made hereunder:

"tree:" "tree" * includes palms, bamboos, stumps, brushwood, and canes;

"timber:" "timber" includes trees when they have fallen or have been felled and all wood, whether cut up, or fashioned, or hollowed out for any purpose or not.

"forest produce:" "forest produce" * includes the following whether found in, or brought from, a forest or not, that is to say:—

(*a*) timber, charcoal, caoutchouc, catechu, wood-oil, resin, natural varnish, bark, lac, mahua flowers, and myrabolams, and

(*b*) the following when found in or brought from a forest, that is to say:—

(i) trees and leaves, flowers and fruits, and all other parts or produce not hereinbefore mentioned of trees;

(ii) plants not being trees (including grass, creepers, reeds, and moss), and all parts or produce of such plants;

(iii) wild animals, and skins, tusks, horns, bones, silk, cocoons, honey, and wax, and all other parts or produce of animals; and

(iv) peat, surface-oil, rock and minerals (including limestone, laterite, mineral-oils, and all products of mines or quarries);

"forest offence:" "forest offence" means an offence punishable under this Act or any rule made hereunder;

"cattle:" "cattle" includes also elephants, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats, and kids;

"river:" "river" includes also streams, canals, creeks, and other channels, natural or artificial;

"land at the disposal of Government:" "land at the disposal of Government" means—

(*a*) land in respect of which no person has acquired the status of a landholder under section 7 of the Burma Land and Revenue Act, 1876;

(*b*) land in respect of which no person has acquired any right created by grant or lease made by, or on behalf of, the British Government;

"Magistrate:" "Magistrate" means a Magistrate of the first or second class and includes a Magistrate of the third class when he is specially empowered by the Chief Commissioner to try forest offences.

Saving of rights of profit from the Burma Land and Revenue Act, 1876.

4. Nothing in the Burma Land and Revenue Act, 1876, shall be deemed to affect, or ever to have affected, any right by which one person is entitled to remove and appropriate, for his own profit, any part of the soil belonging to another person, or to the Govern-

* As amended by Act V of 1890.

ment, or anything growing in, or attached to, or subsisting upon, the land of another person, or of the Government.

CHAPTER II.

OF RESERVED FORESTS.

Power to reserve forests.

5. The Chief Commissioner may constitute any land at the disposal of Government a reserved forest in manner hereinafter provided.

Notification by Chief Commissioner.

6. Whenever it is proposed to constitute any land a reserved forest the Chief Commissioner shall publish a notification in the official Gazette—

(*a*) specifying as nearly as possible the situation and limits of such land;

(*b*) declaring that it is proposed to constitute such land a reserved forest;

(*c*) appointing an officer (hereinafter called "the Forest Settlement Officer") to inquire into and determine the existence, nature, and extent of any rights claimed by, or alleged to exist in favour of, any person in or over any land comprised within such limits, and any claims relating to the practice within such limits of taungya cultivation, and to deal with the same as provided in this chapter.

The officer appointed under clause (*c*) of this section shall ordinarily be a person other than a Forest Officer; but a Forest Officer may be appointed by the Chief Commissioner to assist the Forest Settlement Officer in the inquiry prescribed by this chapter.

Proclamation by Forest Settlement Officer.

7. When a notification has been published under section 6 the Forest Settlement Officer shall publish in the language of the country, at the headquarters of each township in which any portion of the land comprised in such notification is situate, and in every town and village in the neighbourhood of such land, a proclamation—

(*a*) specifying as nearly as possible the situation and limits of the proposed forest;

(*b*) setting forth the substance of the provisions of section 8;

(*c*) explaining the consequences which as hereinafter provided will ensue on the reservation of such forest; and

(*d*) fixing a period of not less than three months from the date of publishing such proclamation, and requiring every person claiming any right or making any claim referred to or mentioned in section 6 either to present to such officer within such period a written notice specifying, or to appear before him within such period and state the nature of such right or claim.

Bar of accrual of forest rights.

8. During the interval between the publication of such proclamation and the date fixed by the notification declaring the forest to be reserved as hereinafter provided, no right shall be acquired in or over the land com-

prised in such notification, except by succession or under a grant or contract in writing made or entered into by, or on behalf of, the Government or some person in whom such right, or power to create the same, was vested when the proclamation was published; and on such land no new house shall be built or plantation formed, no fresh clearings for cultivation or for any other purpose shall be made, and no trees shall be cut for the purposes of trade or manufacture except as hereinafter provided.

Prohibition of building, clearing, &c.

Nothing in this section shall be deemed to prohibit any act done with the permission in writing of the Forest Settlement Officer, or any clearings lawfully made for taungya cultivation by persons in the habit of practising such cultivation on such land.

Inquiry by Forest Settlement Officer.

9. The Forest Settlement Officer shall take down in writing all statements made under section 7, and shall inquire into all claims made under that section, and the existence of any right or practice mentioned in section 6 in respect of which no claim is made. The Forest Settlement Officer shall at the same time consider and record any objection which the Forest Officer (if any) appointed under section 6 to assist him, may make to any such claim or to the existence of any such right or practice.

Powers of Forest Settlement Officer.

10. For the purposes of such inquiry the Forest Settlement Officer may exercise the following powers, that is to say,—

(*a*) the powers of a Demarcation Officer under the Burma Boundaries Act, 1880; and

(*b*) the powers conferred on a Civil Court by the Code of Civil Procedure for compelling the attendance of witnesses and the production of documents.

Claims relating to practice of taungya cultivation how dealt with.

11. In the case of a claim relating to the practice of taungya cultivation, the Forest Settlement Officer shall pass an order specifying the particulars of such claim and permitting, or refusing to permit such practice wholly or in part.

If such practice is permitted wholly or in part, the Forest Settlement Officer may—

(*a*) alter the limits of the proposed reserved forest so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimants; or

(*b*) cause certain portions of the reserved forest to be separately demarcated, and give permission to the claimants to practise taungya cultivation under such rules and conditions as he may prescribe.

No right to practise taungya cultivation shall be deemed to be conferred by an order under this section permitting such practice, and, except with the sanction of the Chief Commissioner, such cultivation shall only be practised by the person to whom such permission is granted.

Power to acquire land over which right is claimed.

12. In the case of a claim to a right in or over any land other than the following rights—

(*a*) a right-of-way;
(*b*) a right to a water-course and to use of water;
(*c*) a right of pasture or to forest produce;

the Forest Settlement Officer shall pass an order specifying the particulars of such claim and admitting or rejecting the same wholly or in part.

If such claim is admitted wholly or in part, the Forest Settlement Officer may (1) come to an agreement with the claimant for the surrender of the right; or (2) exclude the land from the limits of the proposed forest; or (3) proceed to acquire such land in the manner provided by the Land Acquisition Act, 1870.

For the purpose of so acquiring such land—

(i) the Forest Settlement Officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1870;
(ii) the claimant shall be deemed to be a person interested and appearing before him in pursuance of a notice given under section 9 of that Act;
(iii) the provisions of the preceding sections of that Act shall be deemed to have been complied with; and
(iv) the Collector, with the consent of the claimant, or the Court, with the consent of both parties, may award compensation in land or partly in land and partly in money.

Order on claims to right-of-way, water-course, pasture, and to forest produce.

13. In the case of a claim to rights of the kind specified in clauses (*a*), (*b*), and (*c*) of section 12, the Forest Settlement Officer shall pass an order specifying the particulars of such claim and admitting or rejecting the same wholly or in part.

When a claim to any such right is admitted, if the right is for the beneficial enjoyment of any land or buildings, he shall record the designation, position, and area of such land, and the designation and position of such buildings.

Where the right is a right to forest produce, he shall also record whether the forest produce obtained by the exercise of such right may be sold or bartered, and such other particulars as may be necessary in order to define the nature, incidents, and extent of the right.

Provision for rights of pasture or to forest produce admitted.

14. When the Forest Settlement Officer has admitted wholly or in part, and recorded under section 13, a claim to a right of pasture or to forest produce, he shall as far as possible provide for the exercise of such right—

(*a*) by altering the limits of the proposed reserved forests so as to exclude land of sufficient extent of a suitable kind, and in a locality reasonably convenient for the purpose of the claimant;
(*b*) by recording an order continuing to the claimant a right of pasture or to forest produce (as the case may be), subject to such rules as may be prescribed by the Chief Commissioner.

The order passed under clause (*b*) shall record, as far as practicable, the number and description of the cattle which the claimant is from time to time entitled to graze, the local limits within which, and the seasons during which, such pasture is permitted ; or

the quantity of timber or other forest produce which the claimant is authorized to take or receive, the local limits within which, the season during which, and the mode in which, the taking of such produce is permitted ; and

such other particulars as may be required in order to define the extent of the right which is continued, and the mode in which it may be exercised.

Commutation of such rights.

15. Whenever any right of pasture or to forest produce admitted under section 13 is not provided for in one of the ways prescribed in section 14, the Forest Settlement Officer shall, subject to such rule as the Chief Commissioner may prescribe in this behalf, commute such right by paying a sum of money in lieu thereof, or, with the consent of the claimant, by the grant of land, or in such other manner as such officer thinks fit.

For the purpose of granting land under this section the Forest Settlement Officer shall be deemed to be an Assistant Commissioner in charge of a subdivision.

Appeal from order passed under foregoing sections.

16. Any person who has made a claim under this chapter may within three months from the date of any order passed on such claim by the Forest Settlement Officer under section 11, 12, 13, 14, or 15, present an appeal from such order to such officer of the Revenue Department, of rank not lower than that of a Deputy Commissioner, as the Chief Commissioner may, by notification in the official Gazette, appoint by name, or as holding an office, to hear appeals from such orders.

Appeal under section 16.

17. Every appeal under section 16 shall be made by petition in writing, and may be delivered to the Forest Settlement Officer, who shall forward it without delay to the officer competent to hear the same.

Hearing of appeals.

Every such appeal shall be heard in the manner prescribed for the time being for the hearing of appeals in matters relating to land revenue, and the order passed thereon by such officer shall be final, except as hereinafter provided.

Notification declaring forest reserved.

18. When the following events have occurred, namely :—

(*a*) the period fixed under section 7 for preferring claims has elapsed, and all claims (if any) made within such period have been disposed of by the Forest Settlement Officer ; and

(*b*) if such claims have been made, the period fixed by section 16 for appealing from the orders passed on such claims has elapsed, and all appeals (if any) presented within such period have been disposed of by the appellate officer ; and

(*c*) all lands (if any) to be included in the proposed forest which the Forest Settlement Officer has, under section 12, elected to acquire under the Land Acquisition Act, 1870, have become vested in the Government under section 16 of that Act;

the Chief Commissioner may publish a notification in the official Gazette, specifying the limits of the forest which it is intended to reserve, and declaring the same to be reserved from a date fixed by such notification.

From the date so fixed such forest shall be deemed to be a reserved forest.

Extinction of rights not claimed.

19. Rights in respect of which no claim has been preferred under section 7, and of the existence of which no knowledge has been acquired by enquiry under section 9, shall thereupon be extinguished, unless, before the publication of such notification, the person claiming them has satisfied the Forest Settlement Officer that he had sufficient cause for not preferring such claim within the period fixed under section 7.

Publication of translation of such notification in neighbourhood of forest.

20. The Deputy Commissioner of the district in which the forest is situate shall, before the date fixed by such notification, cause a translation thereof in the language of the country to be published in the manner prescribed for the proclamation under section 7.

Power to revise arrangement made under section 11, 14, or 17.

21 The Chief Commissioner may, within five years from the publication of any notification under section 18, revise any arrangement made under section 11, 14, or 17, and may rescind or modify any order made under this chapter, and direct that any one of the proceedings specified in section 14 be taken in lieu of any other of such proceedings, or that the permission granted under section 11, or rights admitted under section 13, be commuted under section 15.

No right acquired over reserved forest except as here provided.

22. No right of any description shall be acquired in or over a reserved forest, except by succession, or under a grant or contract in writing made by, or on behalf of the Government, or some person in whom such right, or the power to create such right, was vested when the notification under section 18 was published.

Rights not to be alienated without sanction.

23. Notwithstanding anything herein contained, no right continued under section 14 shall be alienated by way of grant, sale, lease, mortgage, or otherwise, without the sanction of the Chief Commissioner: provided that, when any such right is continued for the beneficial enjoyment of any land or house, it may be sold or otherwise alienated with such land or house without such sanction.

No timber or other forest produce obtained in exercise of any right so continued shall be sold or bartered except to the extent defined by the order recorded under section 14.

Power to stop ways and water-courses in reserved forests.

24. Any Forest Officer may, from time to time, with the previous sanction of the Chief Commissioner, or of any officer duly athorized in that behalf, stop any public or private way or water-course in a reserved forest: provided that for the way or water-course so stopped, another way or water-course which in the opinion of the Chief Commissioner is equally convenient already exists, or has been provided or constructed by such Forest Officer.

Penalties for trespass or damage in reserved forests.

25. Any person who in a reserved forest—

(*a*) trespasses, or pastures cattle, or permits cattle to trespass;
(*b*) causes any damage by negligence in felling any tree or cutting or dragging any timber;
(*c*) strips off the bark or leaves from or otherwise damages any tree;
(*d*) in contravention of any rules made by the Chief Commissioner, hunts, shoots, fishes, poisons water, or sets traps or snares;

shall be punished with fine which may extend to fifty rupees, or when the damage resulting from his offence amounts to more than twenty-five rupees, to double the amount of such damage.

Acts prohibited in such forests.

26.* Any person who—

(*a*) makes any fresh clearing prohibited by section 8; or
(*b*) sets fire to a reserved forest, or in contravention of any rules made by the Chief Commissioner, kindles any fire, or leaves any fire burning in such manner as to endanger such a forest;

or who in a reserved forest—

(*c*) kindles, keeps, or carries any fire except at such seasons and in such manner as a Forest Officer specially empowered in this behalf may from time to time notify;
(*d*) fells, girdles, lops, taps, or burns any tree;
(*e*) quarries stone, burns lime or charcoal, or collects, subjects to any manufacturing process, or removes any forest produce;
(*f*) clears or breaks up any land for cultivation or any other purpose;

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both, in addition to such compensation for damage done to the forests as the convicting Court may direct to be paid.

Acts excepted from prohibition contained in sections 25 and 26.

27. Nothing in section 25 or section 26 shall be deemed to prohibit (*a*) any act done in accordance with any rule made by the Chief Commissioner or with the permission in writing of a Forest Officer specially empowered to grant such permission; or (*b*) any practice of taungya cultivation permitted under section 11; or

* As amended by Act V of 1890.

(*c*) the exercise of any right continued under section 14 are created by grant or contract in the manner described in section 22.

Penalty for offences committed by persons having rights in reserved forests.

28. Whenever fire is caused wilfully or by gross negligence in a reserved forest by any person having rights in such forest, or having permission to practise taungya cultivation therein, or by any person in his employment, or whenever any person having rights in such forest contravenes the provisions of section 23, the Chief Commissioner may (notwithstanding that a penalty has been inflicted under section 26 in respect of such fire) direct that in such forest, or any specified portion thereof, the exercise of all or any of the rights of pasture or to forest produce shall be extinguished or suspended for such period as he thinks fit, and may withdraw any permission to practise taungya cultivation in such forest or portion.

Power to declare forest no longer reserved.

29. The Chief Commissioner may, with the previous sanction of the Governor-General in Council, by notification in the local official Gazette, direct that from a date fixed by such notification, any forest, or any portion thereof, reserved under this Act shall cease to be reserved.

From the date so fixed such forest or portion shall cease to be reserved; but the rights (if any) which have been extinguished therein shall not revive in consequence of such cessation.

Forests reserved under former rules.

30. Any forest which has been declared a reserved forest under any rules in force previous to the day on which this Act comes into force shall be deemed to have been reserved hereunder;

and all questions decided, orders issued, and records prepared in connection with the reservation of such forest shall be deemed to have been decided, issued, and prepared hereunder, and all provisions of this Act relating to reserved forests shall apply to such forest.

CHAPTER III.

OF VILLAGE FORESTS.

Constitution of village forests.

31. The Chief Commissioner may, by notification in the official Gazette, constitute any land at the disposal of Government a village forest for the benefit of any village community, or group of village communities, and may in like manner vary or cancel any such notification.

Every such notification shall specify the limits of such village forest.

Teak trees in village forest the property of Government.

32. All teak trees in a village forest shall be deemed to be the property of Government: and no person shall cut, mark, lop, girdle, or injure by fire or otherwise any such trees without the permission in writing of a Forest Officer specially empowered to grant such permission.

33. The Chief Commissioner may make rules for regulating the management of village forests, prescribing the conditions under which the community or group of communities for the benefit of which any such forest is constituted may be provided with timber or other forest produce, or with pasture, and their duties in respect of the protection and improvement of such forest.

Power to make rules for village forests.

The Chief Commissioner may, by such rules, declare any of the provisions of Chapter II of this Act to be applicable to village forests.

Saving of private rights.

34. Nothing in this chapter shall be deemed to affect any existing rights of any person in or over any village forest.

The Chief Commissioner may in any case direct that all claims to any such rights, other than the rights of the village community or group of village communities for the benefit of which such village forest is constituted, shall be inquired into, recorded, and provided for in the manner prescribed by Chapter II of this Act.

Power to inquire into and deal with such rights.

CHAPTER IV.

Of the Protection of certain Trees and Natural Produce.

35. All teak trees standing on any land not included in a reserved or village forest shall be deemed to be the property of Government and shall be reserved trees.

Reserved trees.

The Chief Commissioner may, by notification in the official Gazette—

(*a*) declare that any other trees or any specified class of other trees standing on any land at the disposal of Government shall, from a date to be fixed by such notification, be reserved trees;

(*b*) vary or cancel any such notification;

(*c*) declare that any teak trees standing on land other than land at the disposal of Government shall, from a date to be fixed by such notification, cease to be the property of Government and to be reserved trees.

36. No person shall cut, mark, lop, girdle, tap or injure by fire or otherwise, any reserved tree, except as provided by rules made by the Chief Commissioner in this behalf, or with the permission in writing of a Forest Officer specially empowered to grant such permission.

Protection of reserved trees.

Whoever cuts, marks, lops, girdles, taps, or injures by fire or otherwise any reserved tree in contravention of this section shall be punished with fine which may extend to twenty rupees, or when the damage resulting from his offence amounts to more than ten rupees, to double the amount of such damage.

37. No person shall make use of the pasturage or of the natural produce of any land at the disposal of Government and not included in a reserved or village forest, except in accordance with rules which may be

Power to make rules generally.

prescribed by the Chief Commissioner. Such rules may, with respect to such land,—

(*a*) regulate or prohibit the cutting of taungyas, or the issue of grants or leases by Government with respect to land on which teak trees are growing;

(*b*) regulate or prohibit the kindling of fires, and prescribe the precautions to be taken to prevent the spreading of fires;

(*c*) regulate or prohibit the cutting, sawing, conversion, and removal of trees and timber, and the collection and removal of natural produce;

(*d*) regulate or prohibit the quarrying of stone, the boiling of cutch, or the burning of lime or charcoal;

(*e*) regulate or prohibit the cutting of grass and pasturing of cattle, and regulate the payments (if any) to be made for such cutting or pasturing;

(*f*) regulate or prohibit hunting, shooting, fishing, poisoning water, and setting traps or snares;

(*g*) regulate the sale or free grant of timber or other natural produce; and

(*h*) prescribe, or authorize any Forest Officer to prescribe, subject to the control of the Chief Commissioner, the fees, royalties, or other payments for such timber or other natural produce, and the manner in which such fees, royalties, or other payments shall be levied, whether in transit, or partly in transit, or otherwise.

Penalties for acts in contravention of rules.

The Chief Commissioner may by such rules, prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

The Chief Commissioner may exempt any person, or class of persons, or any local area, from the operation of any such rule, and may cancel such exemption.

Nothing in this chapter to prohibit acts done in certain cases.

38. Nothing in this chapter, or in any rule made under this chapter, shall be deemed to prohibit any act done with the permission in writing of a Forest Officer specially empowered to grant such permission, or in the exercise of any right.

CHAPTER V.*

OF THE DUTY ON TIMBER AND OTHER FOREST PRODUCE.

Power to impose duty on timber or other forest produce.

39. * The Chief Commissioner may levy a duty in such manner, at such places, and at such rates, as he may prescribe by notification in the official Gazette, on all timber or other forest produce which is brought into Lower Burma from any place beyond the frontier of Lower Burma.

Power to fix value for *ad valorem* duty.

In every case in which such duty is directed to be levied *ad valorem*, the Chief Commissioner may, by like notification, fix the value on which such duty shall be assessed.

* As amended by Act V of 1890.

Duty on certain timber floated down the Ataran.

40. On all teak timber cut within the limits of the Ataran forest and floated down the Ataran river duty shall be levied at the following rates, that is to say :—

	Rs.	A.	P.	
On logs above five feet in girth	4	0	0	per log.
On logs below five feet in girth	2	0	0	per log.
On stem pieces	0	9	0	per piece.
On ship crooks	0	4	0	per crook.

The rates shall not apply to timber for which special rates have been fixed by any agreement entered into with Government.

Power to exempt timber or other forest produce from duty.

41. * The Chief Commissioner may exempt any timber or other forest produce from the duty to which it is liable under section 39 or section 40 and revoke such exemption.

Provisions of chapter not to limit purchase-money or royalty.

42. * Nothing in this chapter shall be deemed to limit the amount (if any) chargeable as purchase-money or royalty on any timber or other forest produce.

CHAPTER VI.*

OF THE CONTROL OF TIMBER AND OTHER FOREST PRODUCE IN TRANSIT.

Power to make rules to regulate transit of timber or other forest produce.

43. * The control of all rivers and their banks as regards the floating of timber, as well as the control of all timber or other forest produce in transit by land or water, is vested in the Chief Commissioner, and he may make rules to regulate the transit of all timber or other forest produce.

Such rules may (among other matters)—

(*a*) prescribe the routes by which alone timber or other forest produce may be imported into, exported from, or moved within, Lower Burma;

(*b*) prohibit the import and export or moving of such timber or other forest produce without a pass from an officer duly authorized to issue the same, or otherwise than in accordance with the conditions of such passes;

(*c*) provide for the issue, production, and return of such passes;

(*d*) fix or authorize any Forest Officer to fix, subject to the control of the Chief Commissioner, the fees payable for such passes;

(*e*) in the case of timber formed into a raft or fastened to the shore, prohibit the loosening or the setting adrift of such timber by any person not the owner thereof, or not acting on behalf of such owner or of the Government;

(*f*) provide for the stoppage, reporting, examination, and marking of timber or other forest produce in transit in respect of which there is reason to believe that any money is payable to Government, or to which it is desirable, for the purposes of this Act, to affix a mark;

* As amended by Act V of 1890.

(*g*) establish, or authorize any Forest Officer to establish, subject to the control of the Chief Commissioner,* stations to which such timber or other forest produce shall be taken by those in charge of it for examination, or for the realization of such money, or in order that such mark may be affixed to it; and the conditions under which such timber or other forest produce shall be brought to, stored at, and removed from, such station;

(*h*) provide for the management and control of such stations, and for regulating the appointment and duties of persons employed thereat;

(*i*) authorize the transport of timber the property of Government across any land, and regulate the compensation to be paid for any damage done by the transport of such timber;

(*j*) prohibit the closing up or obstruction of the channel or banks of any river used for the transit of timber, or other forest produce, and the throwing of grass, brushwood, branches, and leaves into any such river, or any other act which tends to cause the obstruction of such channel;

(*k*) provide for the prevention and removal of any obstruction in the channel or on the banks of any such river, and for recovering the cost of such prevention or removal from the person, or by the sale of any timber, or other forest produce causing such obstruction;

(*l*) prohibit absolutely, or subject to conditions within specified local limits, the establishment of sawpits, the converting, cutting, burning, concealing, marking, or supermarking of timber, the altering or effacing of any marks on the same, and possession or carrying of marking-hammers or other implements used for marking timber;

(*m*) regulate the use of property-marks for timber, and the registration of such marks; declare the circumstances in which the registration of any property-marks may be refused or cancelled; prescribe the time for which such registration shall hold good; limit the number of such marks that may be registered by any one person and provide for the levy of fees for such registration;

†(*n*) the Chief Commissioner may direct that any rule made under this section shall not apply to any specified class of timber or other forest produce, or to any specified local area.

Penalties for breach of rules made under section 43.

44. The Chief Commissioner may, by such rules, prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

In cases where the offence is committed after sunset and before sunrise, or after making preparation for resistance to the execution

* Amended by Act XII of 1891. † ‡ Added by Act V of 1890.

of any law or any legal process, or where the offender has been previously convicted of a like offence, the convicting Magistrate may inflict double the penalty prescribed for such offence.

All persons bound to aid in cases of accident at station.

45. In case of any accident or emergency involving danger to any property at any such station, every person employed at such station, whether by the Government or by any private person, shall render assistance to any Forest Officer or Police Officer demanding his aid in averting such danger and securing such property from damage or loss.

CHAPTER VII.

OF THE COLLECTION OF DRIFT, STRANDED, AND OTHER TIMBER

Certain kinds of timber to be deemed property of Government until title thereto proved

46. All timber found adrift, beached, stranded, or sunk;

* all timber bearing marks which have not been registered under rules made under section 43;

all timber which has been supermarked, or on which the marks have been obliterated, altered or defaced by fire or otherwise; and

in such areas as the Chief Commissioner directs, all unmarked timber,

shall be deemed to be the property of Government unless and until any person establishes his right thereto as provided in this chapter.

Power to collect the same.

Such timber may be collected by any Forest Officer or other person entitled to collect the same and may be brought to such stations as a Forest Officer specially empowered in this behalf may from time to time notify as stations for the reception of drift timber

The Chief Commissioner may, by notification in the official Gazette, exempt any class of timber from the provisions of this section, and withdraw such exemption.

Notice to claimants of drift timber.

47. Public notice shall from time to time, as occasion may require, be given by a Forest Officer specially empowered in this behalf of timber collected under section 46. Such notice shall contain a description of the timber, and shall require any person claiming the same to present to such officer, within a period not less than one month from the date on which such notice is given, a written statement of such claim.

Procedure on claim preferred to such timber.

48. When any such statement is presented as aforesaid, the Forest Officer may, after making such inquiry as he thinks fit, either reject the claim after recording his reasons for so doing, or deliver the timber to the claimant.

If such timber is claimed by more than one person, the Forest Officer may either deliver the same to any of such persons whom he deems entitled thereto, or may refer the claimants to the Civil Court and retain the timber pending the receipt of an order from such Court for its disposal.

*Any person whose claim has been rejected under this section may, within three months from the date of such rejection, institute a suit to recover possession of the timber claimed by him; but no person shall recover any compensation against the Government or against any Forest Officer on account of such rejection, or the detention or removal of any timber, on the delivery thereof to any other person under this section.

On rejection of claim to such timber, claimant may institute suit.

No such timber shall be subject to process of any Civil Court until it has been delivered, or a suit brought under this section has been decided.

49. If no statement is presented in the manner and within the period prescribed by the notice issued under section 47, or, where such statement having been so presented, and, the claim having been rejected, the claimant omits to institute a suit to recover possession of such timber within the further period mentioned in section 48, the ownership of such timber shall vest in the Government free from all incumbrances; or, when such timber has been delivered to another person under section 48, in such other person free from all incumbrances not created by him.

Disposal of unclaimed timber.

50. No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until he has paid to the Forest Officer, or other person entitled to receive it, such sum on account thereof as may be due for salving, collecting, moving, storing, and disposing of the same.

Payments to be made by claimant before timber is delivered to him.

51. The Chief Commissioner may make rules to regulate the following matters, namely:—

Power to make rules and prescribe penalties.

(*a*) the salving, collection, and disposal of all timber mentioned in section 46;

(*b*) the use and registration of boats used in salving and collecting timber;

(*c*) the amount to be paid for salving, collecting, moving, storing, and disposing of such timber; and

(*d*) the use and registration of hammers and other instruments to be used for marking such timber.

The Chief Commissioner may, by such rules, prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

CHAPTER VIII.

PENALTIES AND PROCEDURE.

52. When there is reason to believe that a forest offence has been committed in respect of any timber or forest produce, such timber or produce, together with all tools, boats, carts, and cattle used in committing any such offence, may be seized by any Forest Officer or Police Officer.

Seizure of property liable to confiscation.

* As amended by Act V of 1890.

Report to Magistrate.

Every officer seizing any property under this section shall place on such property, or the receptacle (if any) in which it is contained, a mark indicating that the same has been so seized, and shall, as soon as may be, make a report of such seizure to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made.

Provided that when the timber or forest produce with respect to which such offence is believed to have been committed is the property of Government and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

Procedure thereupon.

53. Upon the receipt of any such report, the Magistrate shall take such measures as may be necessary for the trial of the accused and the disposal of the property according to law.

Timber, forest produce, tools, &c., when liable to confiscation.

54. When any person is convicted of a forest offence, all timber or forest produce in respect of which such offence has been committed, and all tools, boats, carts, and cattle used in committing such offence, shall be liable, by order of the convicting Magistrate, to confiscation.

Such confiscation may be in addition to any other punishment prescribed for such offence.

Disposal on conclusion of trial for forest offence of produce in respect of which it was committed.

55. When the trial of any forest offence is concluded, any timber or forest produce in respect of which such offence has been committed shall, if it is the property of Government, or has been confiscated, be taken possession of by a Forest Officer specially empowered in this behalf; and in any other case may be disposed of in such manner as the Court may order.

Procedure when offender not known or cannot be found.

56. When the offender is not known or cannot be found, the Magistrate enquiring into the offence, if he finds that an offence has been committed, may, on application in this behalf, order the property in respect of which the offence has been committed to be confiscated and taken possession of by a Forest Officer specially empowered in this behalf, or to be made over to such Forest Officer or other person as the Magistrate considers entitled to the same:

Provided that no such order shall be made until the expiration of one month from the date of seizing such property, or without hearing the person (if any) claiming any right thereto and the evidence (if any) which he may produce in support of his claim.

The Magistrate shall either cause a notice of any application under this section to be served upon any person whom he has reason to believe is interested in the property seized, or shall publish such notice in any way which he thinks fit.

Procedure as to perishable property seized under section 52.

57. The Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any property seized, under section 52 and subject to speedy and natural decay, and may deal with the proceeds as he might have dealt with such property if it had not been sold.

58. Any person claiming to be interested in property seized under section 52 may, within one month from the date of any order passed under section 54, section 55, or section 56, present an appeal therefrom to the Court to which orders made by such Magistrate are ordinarily appealable, and the order passed on such appeal shall be final.

Appeal from orders under sections 54, 55, and 56.

59. When an order for the confiscation of any property has been passed under section 54 or 56, and the period limited by section 58 for presenting an appeal from such order has elapsed, and no such appeal has been presented, or when, on such an appeal being presented, the Appellate Court confirms such order in respect of the whole or a portion of such property, such property or portion, as the case may be, shall vest in the Government free from all incumbrances.

Property when to vest in Government.

60. Nothing hereinbefore contained shall be deemed to prevent any officer empowered in this behalf by the Chief Commissioner from directing at any time the immediate release of any property seized under section 52 and the withdrawal of any charge made in respect of such property.

Saving of power to release property seized.

61. Any Forest Officer or Police Officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Act shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Punishment for wrongful seizure.

Any fine so imposed, or any portion thereof, shall, if the convicting Magistrate so direct, be given as compensation to the person aggrieved by such seizure.

Penalty for counterfeiting or defacing marks in trees and timber and for altering boundary marks.

62. Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Indian Penal Code—

(*a*) knowingly counterfeits upon any timber or standing tree a mark used by Forest Officers to indicate that such timber or tree is the property of the Government or of some person, or that it may lawfully be cut or removed by some person; or

(*b*) unlawfully affixes to any timber or standing tree a mark used by Forest Officers; or

(*c*) alters, defaces, or obliterates any such mark placed on any timber or standing tree by or under the authority of a Forest Officer; or

(*d*) alters, moves, destroys, or defaces any boundary mark of any forest or waste-land to which any provisions of this Act apply;

shall be punised with imprisonment for a term which may extend to two years, or with fine, or with both.

63 *Any Forest Officer or Police Officer may, without orders from a Magistrate and without a warrant, arrest any person reasonably suspected of having been concerned in any forest offence punishable with imprisonment for one month or upwards, if such person refuses to give his name and residence, or gives a name or residence which there is reason to believe to be false, or if there is reason to believe that he will abscond

Power to arrest without warrant.

Every officer making an arrest under this section shall, without unnecessary delay, take or send the person arrested before a Magistrate having jurisdiction in the case or to the officer in charge of the nearest police-station.

Power to prevent commission of offence.

64. Every Forest Officer and Police Officer shall prevent, and may interfere for the purpose of preventing, the commission of any forest offence.

Operation of other laws not barred.

65. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes a forest offence, or from being liable under such other law to any higher punishment or penalty than that provided by this Act or the rules made hereunder:

Provided that no person shall be punished twice for the same offence.

Power to compound offences.

66. †(1) The Chief Commissioner may from time to time by notification in the official Gazette empower a Forest Officer by name or as holding an office—

(*a*) to accept from any person against whom a reasonable suspicion exists that he has committed any forest offence other than an offence specified in section 61 or section 62, a sum of money by way of compensation for the offence which such person is suspected to have committed; and

(*b*) when any property has been seized as liable to confiscation to release the same on payment of the value thereof as estimated by such officer.

(2) On the payment of such sum of money or such value or both, as the case may be, to such officer, the suspected person, if in custody, shall be discharged, the property (if any) seized shall be released, and no further proceedings shall be taken against such person or property.

(3) A Forest Officer shall not be empowered under this section unless he is a Forest Officer of a rank not inferior to that of a Ranger and is in receipt of a monthly salary amounting to at least one hundred rupees, and the sum of money accepted as compensation under sub-section (1), clause (*a*), shall in no case exceed the sum of Rs. 50.

Presumption that timber or forest produce belongs to Government.

67. When in any proceedings taken under this Act, or in consequence of anything done under this Act, a question arises as to whether any timber or forest produce is the property of the Government, such timber or produce shall be presumed to be the property of the Government until the contrary is proved.

* As amended by Act V of 1890.

† Substituted for section 66 of the Act of 1881 by Act V of 1890.

CHAPTER IX.

CATTLE TRESPASS.

Cattle-trespass Act, 1871, to apply

68. Cattle trespassing in a reserved forest or in a village forest shall be deemed to be cattle doing damage to a public plantation within the meaning of the eleventh section of the Cattle trespass Act, 1871, and may be seized and impounded as such by any Forest Officer or Police Officer.

Power to alter fines fixed by that Act.

69. The Chief Commissioner may, by notification in the official Gazette, direct that, in lieu of the fines fixed by the twelfth section of the Act last aforesaid, there shall be levied for each head of cattle impounded under section 68 of this Act, such fines as he thinks fit, but not exceeding the following (that is to say):—

	Rs.	A.
For each elephant	10	0
For each buffalo	2	0
For each horse, mare, gelding, pony, filly, mule, bull, bullock, cow, or heifer	1	0
For each calf, ass, pig, ram, ewe, sheep, lamb, goat, or kid	0	8

CHAPTER X.

OF FOREST OFFICERS.

Chief Commissioner may invest Forest Officers with certain powers.

70. The Chief Commissioner may invest any Forest Officer by name, or as holding an office, with the following powers (that is to say) :—

(*a*) the powers of a Demarcation Officer under the Burma Boundaries Act, 1880;

(*b*) the powers of a Civil Court to compel the attendance of witnesses and the production of documents;

(*c*) power to issue search-warrants under the Code of Criminal Procedure;

(*d*) power to hold enquiries into forest offences, and in the course of such enquiries to receive and record evidence;

(*e*) power to notify seasons and manner in which fire may be kindled, kept, or carried in a reserved forest;

(*f*) power to grant any permission referred to in section 27, 32, 36, or 38;

(*g*) power to notify stations for the reception of drift timber;

(*h*) power to give public notice of timber collected under section 46;

(*i*) power to take possession of property under this Act;

(*j*) power to direct the release of property or withdrawal of charges;

*(*k*) power to accept compensation for forest offences;

and may withdraw any powers so conferred.

* This clause was repealed by Act V of 1890, but has been re-enacted by Act XII of 1891.

Any evidence recorded under clause (*d*) of this section shall be admissible in any subsequent trial before a Magistrate of the alleged offender: provided that it has been taken in the presence of the accused person, and recorded in the manner provided by section 333, section 334, or section 335 of the Code of Criminal Procedure.

Forest Officers deemed public servants.

71. All Forest Officers shall be deemed to be public servants within the meaning of the Indian Penal Code.

Indemnity for acts done in good faith.

72. No suit or criminal prosecution shall lie against any public servant for anything done or omitted by him in good faith under this Act.

Forest Officers not to trade.

73. Except with the permission in writing of the Chief Commissioner, no Forest Officer shall, as principal or agent, trade in timber or forest produce, or be or become interested in any lease or mortgage of any forest, or any contract for working any forest, whether in British or Foreign territory.

CHAPTER XI.

MISCELLANEOUS.

Additional powers to make rules.

74. The Chief Commissioner may make rules consistent with this Act—

(*a*) to declare by what Forest Officer or class of Forest Officers the power or duties conferred or imposed by or under this Act on a Forest Officer shall be exercised or performed;

(*b*) to regulate the procedure of Forest Settlement Officers;

(*c*) to regulate the rewards to be paid to officers and infomers from the proceeds of fines and confiscations under this Act or from the Public Treasury; and

(*d*) generally to carry out the provisions of this Act.

Rules when to have force of law.

75. All rules made by the Chief Commissioner under this Act shall be published in the official Gazette, and shall thereupon have the force of law.

Powers of Chief Commissioner exercisable from time to time.

All powers conferred by this Act on the Chief Commissioner may be exercised from time to time as occasion requires.

Persons bound to assist Forest Officer and Police Officer.

76. Every person who exercises any right in a reserved forest or a village forest, or who is permitted to take any forest produce from, or to cut and remove timber, or to pasture cattle, or to practise taungya cultivation in such forest; and

every person who is employed by any such person in such forest; and

every person in any village contiguous to such forest who is employed by the Government, or who receives emoluments from the Government for services to be performed to the community;

shall be bound to furnish without unnecessary delay to the nearest Forest Officer or Police Officer any information he may possess respecting the occurrence of a fire in or near such forest, or the com-

mission of, or intention to commit any forest offence, and shall assist any Forest Officer or Police Officer demanding his aid—

(a) in extinguishing any fire occurring in such forest;

(b) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest;

(c) in preventing the commission in such forest of any forest offence; and

(d) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

Recovery of money due to Government.

77. All money, other than fines, payable to the Government under this Act, or under any rule made hereunder, or on account of the price of any timber or forest produce, or of expenses incurred in the execution of this Act in respect of such timber or forest produce, may, if not paid when due, be recovered under the law for the time being in force as if it were an arrear of land revenue.

Lien on forest produce for such money.

78. When any such money is payable for, or in respect of, any forest produce, the amount thereof shall be deemed to be a first charge on such produce: and such produce may be taken possession of by a Forest Officer specially empowered in this behalf, and may be retained by him until such amount has been paid.

Power to sell such produce.

If such amount is not paid when due, such Forest Officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

The surplus (if any) if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to Government.

Government and its officers not liable for loss or damage in respect of certain timber.

79. The Government shall not be responsible for any loss or damage which may occur in respect of any timber while at a station established under a rule made under section 43, or while detained elsewhere for the purposes of this Act, or in respect of any timber collected under section 46; and no Forest Officer shall be responsible for any such loss or damage unless he causes the same negligently, maliciously, or fraudulently

Land required under this Act to be deemed to be needed for a public purpose under Land Acquisition Act.

80. Whenever it appears to the Chief Commissioner that any land is required for any of the purposes of this Act, such land shall be deemed to be needed for a public purpose within the meaning of the Land Acquisition Act, 1870, section 4.

Recovery of penalties due under bond

81 *When any person, in compliance with any rule under this Act, binds himself by any instrument to perform any duty or act, or covenants by any instrument that he, or that he and his servants and agents, will abstain from any act, the whole sum mentioned in IX of 1872.

* Added by Act V of 1890.

such instrument as the amount to be paid in case of a breach of the conditions thereof may, notwithstanding anything in section 74 of the Indian Contract Act, 1872, be recovered from him in case of such breach as if it were an arrear of land revenue.

SCHEDULE.*

* * * * *

---

* Repealed by Act XII of 1891.

NOTIFICATIONS, RULES, AND DEPARTMENTAL DIRECTIONS UNDER THE BURMA FOREST ACT, 1881.

REVISED TO 3RD MARCH 1892.

Notification of the date on which the Act came into force.

No. 24 (FORESTS).—*The 25th March 1882.*—Under the provisions of section 1 of the Burma Forest Act, 1881, the Chief Commissioner hereby directs that the said Act shall come into force on the 1st July 1882.

Notification regarding Officers to hear appeals from orders passed by Forest Settlement Officers.

No. 33 (FORESTS).—*The 12th April 1883.*—Under the provisions of section 16 of the Burma Forest Act, 1881, the Chief Commissioner appoints the following officers of the Revenue Department to hear appeals from orders passed by a Forest Settlement Officer under section 11, 12, 13, 14, or 15 on claims made under Chapter II of the Act:—

The Commissioner of the division when the Forest Settlement Officer appointed under section 6 of the Act is a Deputy Commissioner;

The Deputy Commissioner of the district in other cases.

Notification of certain Trees as reserved Trees.

No. 178 (FORESTS).—**The 4th December 1889.*—The following notification is published in supersession of this department notifications No 5, dated the 10th January 1883, No. 36, dated the 16th September 1886, and No. 128, dated the 4th October 1888.—

Under the provisions of clause (*a*) of section 35 of the Burma Forest Act, 1881, the Chief Commissioner declares that from the date of this notification the undermentioned trees, standing on any land at the disposal of Government, shall be reserved trees within the local limits hereinafter named:—

Thitka Thitkado ... ... Kaunghmu ... ... Thingan ... ... Pyinma or lezain ... . Kanyin	In all districts of the Pegu Forest circle, except those of the Arakan Commissionership.
†Padauk ... .. ‡Cutch	In all districts of the Pegu Forest circle.

* As amended by Revenue Department No. 211, dated the 24th September 1891.

† Added by Revenue Department Notification No. 201, dated the 19th November 1890.

‡ Added by Revenue Department Notification No. 49 (Forests), dated the 12th February 1892.

*Kadut	In the Tenasserim Forest circle.
†Kanyin	
‡Cutch	
Pyinkado	In all districts of the Arakan Commissionership.
Pyinma or kamaung ...	
Thitka	
Thitkado	
‡Cutch	
Thitka	In the Amherst and Salween Hill Tracts districts and in such portion of the Shwegyin district as is included in the Tenasserim Forest circle.
Thitkado	
Padauk	
Thingan	
Kaunghmu	
Pyinma or lezain	
Kaunghmu	In the Tavoy district.
Thitka	In the Tavoy and Mergui districts.
Thitkado	
Padauk	
Thingan or Magalè ...	
Karawè	
Anan	
Kanzaw	

Notification regarding the duty leviable on Timber floated down the Salween and its Tributaries.§

No. 154 (FORESTS).—*The 19th November 1888.*—In exercise of the powers conferred by section 39 of the Burma Forest Act, 1881, the Chief Commissioner directs that, with effect from the 1st April 1889, on all timber floated down the Salween and its tributaries, and brought into Lower Burma from any place beyond the frontier of Lower Burma, a duty of 7 per cent. *ad valorem* shall be levied.

The duty shall be assessed and levied at Kado by the Deputy Conservator of the Kado Forest division or, in his absence, by an officer specially authorized by him in that behalf.

For the purposes of the assessment of the said duty the value of the different classes and forms of timber shall be taken at the market or selling price of the said timber at Moulmein.

In the event of any dispute or question arising as to the market value of any timber brought for assessment, the question or dispute shall be settled by the Conservator of Forests.

All duty shall be paid within a period of two years from the date of arrival of the timber at the Kado revenue station, failing which the timber, or such part of it as may be sufficient to realize the amount of duty, may be sold by the officer charged as aforesaid with the levy of duty.

This supersedes this department Notification No. 6, dated the 10th January 1883.

* Added by Revenue Department Notification No. 153, dated the 23rd July 1891.

† Added by Revenue Department Notification No. 174, dated the 20th October 1890.

‡ Added by Revenue Department Notification No. 49 (Forests), dated the 12th February 1892.

§ NOTE.—Revenue Department Notification No. 2 (Forests), dated the 7th January 1887, concerning the duty leviable on timber floated down the Irrawaddy, was cancelled by Revenue Department Notification No. 23 (Forests), dated the 6th February 1890.

Notifications regarding the floating of timber.

No. 63 (FORESTS).—*The 29th October 1884.*—Under the provisions of section 43 of the Burma Forest Act, 1881, the Chief Commissioner prohibits the floating of timber on the Thègôn stream in the Prome district.

No. 57 (FORESTS).—*The 14th June 1888.*—Under the provisions of section 43 of the Burma Forest Act, 1881, the Chief Commissioner prohibits the floating of timber in rafts in the Tunte canal, Hanthawaddy district. Timber may be floated through the canal in single logs under proper control, but not otherwise.

Notification directing that certain Unmarked Timber shall be deemed to be the Property of Government.

No. 14* (FORESTS).—*The 17th January 1890.*—Under section 46 of the Burma Forest Act, 1881, the Chief Commissioner directs that all unmarked timber in the following areas shall be deemed to be the property of Government, unless and until any person shall establish his right thereto as provided in Chapter VII of the said Act:—

* Corrected by Revenue Department Notification No. 25, dated the 6th February 1890.

Pegu Circle.—The area occupied by any railway as defined in the Indian Railways Act, 1890, including the railway stations along the line; the area covered at the highest rise by the rivers Irrawaddy, Sittang, and Ngawun, Hlaing below Sanywe village, Pegu below Awaing village, Paunglin below Hlègu village, and by all tidal creeks and the sea at high water.

Tenasserim Circle.—The area covered at the highest rise by the rivers Tenasserim, Salween, Bilin below the village of that name, Dôndami below Ihè, Gyaing below the village of that name, Ataran below the mouth of the Winyaw, Tavoy below Sinzeik, and the area covered by all tidal creeks and the sea at high water.

This supersedes this department Notification No. 7 (Forests), dated the 10th January 1883, as revised by this department Notification No. 66 (Forests), dated the 27th November 1884.

Notification exempting certain Timber from the Provisions of the above Notification.

No. 75 (FORESTS).—*The 30th May 1890.*—Under section 46 of the Burma Forest Act, 1881, the Chief Commissioner exempts from the provisions of that section timber of the unreserved kinds which has been extracted under the circumstances described in clauses (*a*) to (*c*) of sub-head (1), Rule 8 of the rules published under this department Notification No. 11 (Forests), dated the 10th January 1883, as revised by this department Notification No. 108 (Forests), dated the 1st August 1889, provided that such timber be not found outside the limits within which its utilization is permitted under the said rule.†

Supersedes Revenue Department Notification No. 12 (Forests), dated 15th April 1886.

---

† NOTE.—The exemption from the provisions of section 46 of the Act, notified in Revenue Department Notification No. 9, dated the 10th January 1883, was withdrawn in Revenue Department Notification No. 56, dated the 26th August 1885.

Notification empowering Forest Officers to compound offences.

No. 217 (FORESTS).—With reference to the provisions of section 66 of the Burma Forest Act, 1881, as amended by Act V of 1890, the Chief Commissioner empowers every Deputy Conservator in charge of a Forest division, and every Assistant Conservator and Sub-Assistant Conservator in charge of the current duties of the office of a Divisional Officer in the absence of such officer, to exercise the powers conferred by that section.

Notification directing that certain Fines shall be levied for Cattle impounded in Fire-traced Reserves.

No. 10 (FORESTS).—*The 10th January 1883.*—Under section 69 of the Burma Forest Act, 1881, the Chief Commissioner directs that in all fire-traced reserves, in lieu of the fines fixed by the 12th section of the Cattle-trespass Act, 1871, the following fines shall be levied for each head of cattle impounded under section 68 of the Burma Forest Act :—

	Rs.	A.	P.
For each elephant	5	0	0
For each buffalo	1	0	0
For each horse, mare, gelding, pony, colt, filly, bull, bullock, cow, or heifer ...	0	8	0
For each calf, pig, sheep, goat, or kid ...	0	4	0

General Rules under the Act for all Districts (:cept those of the Arakan Commissionership.

No. 11 (FORESTS).—*The 10th January 1883.*—The following rules are made by the Chief Commissioner, British Burma, under the Burma Forest Act, 1881, and shall apply to all districts in Lower Burma except those of the Arakan Commissionership :—

SECTION I.

Rules relating to Reserved Forests.

Section 25, clause (*d*).

1. Within a forest reserve no person shall poison water or set traps or snares, and no person shall hunt, shoot, or fish without a license. Any person who, in a reserved forest, in contravention of this rule, hunts, shoots, fishes, poisons water, or sets traps or snares, is punishable under section 25 of the Act with fine which may extend to Rs. 50, or when the damage resulting from his offence amounts to more than Rs. 25, to double the amount of such damage.

2. Such license may be granted by the Deputy Commissioner or Forest Officer in whose local jurisdiction such reserve is situated.

Provided that no such license may allow hunting or shooting during the season when forest fires most commonly occur, namely, from the 1st March to the 1st June, nor the hunting or shooting of pheasants, jungle-fowl, partridges, quails, or hares during the breeding season, namely, from the 1st March to the 1st September.

3. Such license shall be in the Form No. I given in the Appendix to these rules, and a fee of Rs. 10 may be charged for the issue thereof.

Section 26, clause (*b*).

4. Between the 15th day of January and the 15th day of June no person shall, within 2 miles of the boundary of a reserve, leave any fire burning, unless he shall have taken the following precautions, namely,—

(*a*) he shall, at least one week before kindling such fire, have given notice of his intention so to do to the nearest Forest Officer;

(*b*) he shall have cleared of inflammable matter a belt of ground of not less than 20 feet in breadth around the place whereon he proposes to kindle such fire;

(*c*) he shall have kindled such fire at a time when no high wind is blowing in the direction of the reserve.

Any person who, in contravention of this rule, leaves any fire burning in such manner as to endanger a reserved forest, is punishable under section 26 of the Act with imprisonment for a term which may extend to six months, or with fine which may extend to Rs. 500, or with both, in addition to such compensation for damage done to the forest as the convicting Court may direct to be paid.

SECTION II.*

Rules relating to Reserved and Unreserved Trees and Forest Produce.

* As revised by Revenue Department Notifications No. 25 (Forests), dated the 3rd July 1884, and No. 32 (Forests), dated the 7th May 1885.

Section 37, clauses (*c*) and (*g*).

5. No person shall cut, saw, convert, or remove any reserved tree standing on land at the disposal of Government not included in a reserved or a village forest of the timber of any such tree, without a license granted by an officer empowered in that behalf by Rule 6, or otherwise than in accordance with the conditions of such license.

6. The license referred to in Rule 5, if free, shall be granted by the Commissioner of the division or Conservator of the circle, and otherwise by the Deputy Commissioner or Forest Officer of the district, or by an officer empowered by the Deputy Commissioner in that behalf.

Proviso.—Provided that, in the case of *padauk* timber, the license referred to in Rule 5 shall be granted only by, and at the discretion of, the Conservator of the circle.

7. Such license shall be subject to the conditions contained in one or other of the Forms Nos. II, IV, or V given in the Appendix to these rules.

* Added by Revenue Department Notification No. 250, dated the 22nd October 1891.

**Proviso.*—Provided that licenses for *thingan* shall, in the Tenasserim Forest Circle, be granted in Form IV only.

† As revised by Revenue Department Notification No. 108 (Forests), dated the 1st August 1889, No. 295, dated the 5th December 1891, No. 311, dated the 9th December 1891, No. 47, dated the 12th February 1892† and No. 71, dated the 3rd March 1892.

8.† (1) No person shall cut, saw, convert, or remove any tree other than a reserved tree on any land at the disposal of Government not included in a reserved forest or village forest, or the timber of any such tree, unless either—

(*a*) such tree or timber is cut, sawn, converted, or removed for the building of bridges, rest-houses, or other works of public utility; or

(*b*) such tree or timber is cut, sawn, converted, or removed for use within the revenue circle wherein, or within 5 miles of the place in which, such tree or timber is produced for *bonâ fide* agricultural, fishery, or domestic purposes; or

(*c*) such tree or timber is cut for immediate conversion into firewood within the limits of the forest in which it is cut and before passing the station at which revenue would be ordinarily payable; or

‡ As revised by Revenue Department Notification No. 214, dated the 25th September 1891.

(*d*) ‡ such timber is cut, sawn, converted, or removed under and subject to the conditions of a license granted by the Deputy Commissioner, or Forest Officer of the district, or by any officer empowered by the Deputy Commissioner in that behalf, in one or other of the Forms Nos. VI, VII, VIII, IXA, and IXB given in the Appendix to these rules.

Provided, however, that—

§ Added by Revenue Department Notification No. 210, dated the 24th September 1891.

(2) No one shall cut, fell, or lop *than* trees on any such land for the purpose of manufacturing *thansha* or collect or remove *than* timber for such purpose.

(3) On all firewood brought to Rangoon there shall be levied the following fees :—

	Rs.	A.	P.
On firewood not exceeding 6 feet in length and 2 feet in girth, per 1,000 billets	10	0	0
On firewood not exceeding 4 feet 6 inches in length and 2 feet in girth, per 1,000 billets	8	0	0
On firewood not exceeding 4 feet 6 inches in length and 1 foot in girth, per 1,000 billets	2	8	0
On firewood not exceeding 3 feet in length and 1 foot in girth, per 1,000 billets	1	0	0
On firewood, small, in bundles of 10, not exceeding 1 foot in length, per 1,000 bundles	1	0	0

The above fees shall be paid at one or other of the collecting stations at Alôn, Pazundaung, Botataung, Williams Street wharf, or Sinmaleik, and no firewood shall be removed until the fees payable in respect thereof have been paid.

(4)*.—No person shall cut trees within two chains of the banks of any stream to which the Deputy Commissioner of the district in which the stream is situated may by public notice declare this rule to apply. The notices published under this rule shall specify the points on the stream referred to between which the cutting of trees is prohibited, and shall be served on the headmen of all villages near and posted up at convenient places in such villages and along the banks of the stream. The Deputy Commissioner may cancel or vary by publication in similar manner any notices issued under this rule.

* Added by Revenue Department Notification No. 311, dated the 9th December 1891.

9. No person shall collect or remove wood-oil or resin, the natural produce of any land at the disposal of Government, not included in a reserved or village forest, save under and subject to the conditions of a license granted by the Deputy Commissioner or Forest Officer of the district, or by an officer empowered by the Deputy Commissioner in that behalf, in one or other of the Forms X and XI given in the Appendix to these rules.

10.† Any person infringing Rule 5 or Rule 8 or Rule 9 shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to Rs. 500, or with both.

† As revised by Revenue Department Notification No. 108 (Forests), dated the 1st August 1889.

SECTION III.

Rules relating to the control of Timber in Transit.

‡ Rules Nos. 16 and 17 below apply only to the following areas :—

‡ As revised by Revenue Department Notification No. 15 (Forests), dated the 17th January 1890.

Pegu Circle.—The area covered at the highest rise by the rivers Irrawaddy, Sittang, and Ngawun, Hlaing below Sanywe village, Pegu below Awaing village, Paunglin below Hlègu village, and by all tidal creeks and the sea at high water.

Tenasserim Circle.—The area covered at the highest rise by the rivers Tenasserim, Salween, Bilin below the village of that name, Dôndami below Thè, Gyaing below the village of that name, Ataran below the mouth of the Winyaw, Tavoy below Sinzeik, and the area covered by all tidal creeks and the sea at high water.

Rules 12, 13, 14 and 15 apply to the abovementioned areas, and also to the area occupied by any railway as defined in the Indian Railways Act, 1890, including the Railway stations along the line.

Section 43, clause (a).

11. *All timber floated down the Salween shall be brought to Kado by the Eastern channel.

§Prescribed by Revenue Department Notification No. 15, dated the 23rd January 1892.

Section 43, clause (b).

12.§ No person shall move timber in transit without a pass from the Deputy Commissioner of the district or Forest Officer of the forest division in which the timber is, or from an officer empowered by such Deputy Commissioner or Forest Officer in that behalf, or otherwise than in accordance with the conditions of such pass. Provided that this rule shall not apply to—

(a) bamboos or firewood in billets;
(b) timber obtained free of charge under Rule 8 (b).
(c) timber collected under a license granted in accordance with Rules 36 and 37.

13. Such pass shall be in the Form No. XII given in the Appendix to these rules.

Clause (c).

14. Such pass shall be produced on the demand of any Forest or Police Officer. Timber for which no pass is produced may be detained by any Forest or Police Officer.

*Prescribed by Revenue Department Notification No. 15, dated the 23rd January 1892.

Clause (d).

15.* The fee payable for such pass shall not exceed the following rates:—

half-an-anna per log or piece of the larger kinds of timber;
one-quarter anna per yatthit, stem piece, or small piece.

Clause (e).

16. In the case of timber formed into a raft or fastened to the shore, no person not being the owner thereof, or not acting on behalf of such owner, or of the Government, shall loosen or set adrift such timber.

Clause (f).

17. All timber in transit (in respect of which there is reason to believe that any money is payable to Government, or to which it is desirable for the purposes of the Act to affix a mark) shall be stopped, reported, examined, and marked at the first station established, as hereinafter provided, which it reaches, and thereafter at any other such station at which any Forest Officer requires it to be stopped, reported, examined, or marked. At Kado the report shall be made in writing within seven days of the arrival of the timber, and shall contain full and correct particulars of the timber, its marks, and its position at the station. No timber shall be moved from a station without the permission of the officer in charge.

Clause (g).

18. The stations to which timber in transit shall be taken by those in charge of it for examination, or for the realization of any money payable to Government in respect thereof, or in order that any mark may be affixed thereto, shall be the following:—

Pegu Forest Circle.

AGENCY DIVISION ... ... { Pazundaung.
Kemmendine.

RANGOON DIVISION	Hlôgu. Pegu.† Tawlatè. Taikkyi railway station.‡
PROME DIVISION	Vataung. Nyaungbinzeik. Prome.§ Prome railway station.‡
WESTERN DIVISION	Myanaung. Henzada. Bassein. Yandoon.§ Kyaiklat §
THARRAWADDY DIVISION ...	Tarôkma. Sanywe.* Zigôn railway station.† Ôkpo railway station.† Minhla railway station.† Letpadan railway station.†
TOUNGOO DIVISION	Toungoo. Pyu railway station.†
SHWEGYIN DIVISION	Inbalwè.‡ Myitkyo. Sittang. Kyaikto. Bilin.§

†Substituted for Awaing by Revenue Department Notification No. 53 (Forests), dated the 6th October 1887.

‡Added by Revenue Department Notification No. 94, dated the 3rd July 1890.

§Added by Revenue Department Notification No. 173, dated the 12th August 1891.

*Added by Revenue Department Notification No. 60 (Forests), dated the 27th September 1883.

†Added by Revenue Department Notification No. 94, dated the 3rd July 1890.

‡Added by Revenue Department Notification No. 151 (Forests), dated the 23rd July 1891.

§Added by Revenue Department Notification No. 43 (Forests), dated the 2nd November 1886.

Tenasserim Forest Circle.

SALWEEN DIVISION	Kado. Battery Point, Moulmein. Nante, Ataran river. Duyinzeik, Dôndami river.‖ Gyaing, Gyaing river. Kawkareik, Haungtharaw township, Amherst district.¶
SOUTH TENASSERIM DIVISION ...	Sinzeik, above Tavoy. Mergui.

‖Substituted for Zimmathwè by Revenue Department Notification No. 20 (Forests), dated the 21st July 1886.

¶Added by Revenue Department Notification No. 80 (Forests), dated the 20th April 1891.

19. Timber which is the property of Government may be transported across any land, and all acts necessary or convenient for such transport may be done under the authority of an officer in charge of a forest division. If any damage be done to private property by the transport of such timber, compensation shall be paid for such damage,

Clause (i).

20. No person shall close up or obstruct otherwise than as permitted by a license granted under Rule 37** the channel of any of the following rivers used for the transit of timber :—

Clause (j).

**As revised by Revenue Department Notification No. 60 (Forests), dated the 27th November 1884.

Pegu Forest Circle.

The Sittang river (above Myitkyo) and all its tributaries.
The Pegu river (above Dabein) and all its tributaries.
The Paunglin river and all its tributaries.

The Hlaing river above Tantabin and all its tributaries.
The Nawin river and all its tributaries.
The Bawle river and all its tributaries:
The Kyini river and all its tributaries.
All the western tributaries of the Irrawaddy river from the Mindon river to the Ngawun creek.
The Ngawun creek and all its tributaries above Bassein.

Tenasserim Forest Circle.

The Salween river.
The Bilin river and all its tributaries.
The Dondami river and all its tributaries.
The Yunzalin river and all its tributaries.
The Methalauk river and all its tributaries.
The Pèlaw river and all its tributaries.
The Solo river and all its tributaries.
The Pa river and all its tributaries.
The Haundaraw river and all its tributaries.
The Hlaingbwe river and all its tributaries.
The Thaungyin river and all its tributaries.
The Ataran river and all its tributaries.
The Ye river and all its tributaries.
The Tavoy river and all its tributaries.
The Tenasserim river and all its tributaries.

*As revised by Revenue Department Notification No. 86, dated the 27th November 1884.

Clause (*k*).

21.* Any Forest Officer may prevent, and the officer in charge of the forest division or subdivision may remove, any obstruction in the channel of any of the rivers mentioned in Rule 20, and the cost of such prevention or removal may be recovered from the person or by the sale of any timber causing such obstruction.

Clause (*l*).

22. No person shall convert, cut, burn, or conceal any timber in respect of which any money is payable to Government.

†Prescribed by Revenue Department Notification No. 76 (Forests), dated the 30th May 1890.

23.† No person, unless authorized by an officer in charge of a forest division, shall mark or supermark timber, or alter or efface any marks on timber, unless—

(*a*) the timber is timber specified in Rule 8, sub-head (1), clauses (*a*) and (*b*);

(*b*) the timber bears a mark that all money payable to Government thereon has been paid,

(*c*) the person is the owner of the timber, and the mark is a property mark used and registered as hereinafter provided.

‡Prescribed by Revenue Department Notification No. 15 (Forests), dated the 13rd January 1892.

24.‡ No person shall establish or convert timber at a saw-pit within the local limits specified below, save under and subject to the conditions of a license in Form XIV (*b*) of the forms published in the Appendix to these rules granted by the Deputy Commissioner of the district or Forest Officer of the forest division, or by an officer empowered by the Deputy Commissioner in that behalf:—

Local limits.—A distance of 1 mile from any rafting river, or of 10 miles from any station established by rule under section 43.(*g*) of the Act or from any railway station, or any railway as defined in the Indian Railways Act, 1890.

25 § No person shall possess or carry marking-hammers, or other implements used for marking timber, without a license in the Form No. XIII given in the Appendix to these rules from the officer in charge of a forest division.

§As revised by Revenue Department Notification No. 47 (Forests), dated the 8th September 1887.

26 ** No person shall import or move in transit for trade purposes unconverted timber without a registered property-mark being distinctly stamped upon every log or piece. At Kado every fresh mark placed upon timber shall be reported within 24 hours to the officer in charge.

Clause (*m*).

**Prescribed by Revenue Department Notification No. 15, dated the 23rd January 1892.

27. If not so marked, such timber shall not be entitled to a pass under Rule 12.

28. *(*1*) All property-marks and all transfers of property-marks shall be registered in the manner hereinafter provided.

(*2*) A property-mark not so registered shall not be impressed on any tree or timber.

*As revised by Revenue Department Notification No. 47 (Forests), dated the 8th September 1887.

29. Registration shall be effected by the owner at a forest office, provided that the Forest Officer in charge of such office may refuse registration of any mark.

30.† If the Forest Officer refuse the registration of any mark, he shall record his reasons in writing and furnish a copy to the applicant for registration, who may appeal, within one month from the date of such refusal, to the Conservator of the circle. In all cases in which a property-mark has been found affixed to timber which bears trace of some other property-mark or marks having been obliterated, altered, or defaced, or has been used to supermark timber bearing any other property-mark or marks, the Forest Officer may cancel the registration of such mark. Provided that he shall record his reasons in writing and that his order shall be subject to appeal to the Conservator of the circle, such appeal to be made within one month from the date of cancellation of such mark.

†As revised by Revenue Department Notification No 47 (Forests), dated the 8th September 1887.

31. ‡Registration, and each renewal of registration, shall hold good from the date thereof until the following 31st March and for the next succeeding two years. Registration effected under any law for the time being in force in Upper Burma shall hold good in Lower Burma so long as it holds good in Upper Burma.

‡As revised by Revenue Department Notification No. 40 (Forests), dated the 13th August 1887.

32. §Fees for registration shall be levied according to the following scale :—

§Prescribed by Revenue Department Notification No. 184, dated the 27th August 1891.

For teak timber—

	Rs.
For each new mark registered	100
For renewal of registration of a mark before it has lapsed or within three months after it has lapsed ...	1
For renewal of registration of a mark after the expiration of three months from the date on which the registration lapsed	25
For transfer of a mark ...	10

For other timber—

For each mark registered or transferred	... ...	5
For each mark renewed before it has lapsed	...	*Nil.*

A mark registered under this rule may be impressed on one or more hammers. When a mark is impressed on several hammers a number may be impressed on each such hammer to denote that it forms one of a series bearing the same mark without payment of additional fee. But any modification or alteration in the form or character of the mark itself must be separately registered.

Section 44.

33. Any person infringing any of the Rules 12, 14, 16, 17, 20, 22, 23, 24, 25, 26, or 28 shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to Rs. 500, or with both.

SECTION IV.

Rules relating to the Salving, Collection, and Disposal of Drift, Stranded, and other Timber.

Salving.

34. *All timber found adrift, beached, stranded, or sunk, may be salved by any person, except within the following limits, within which such salving shall only be undertaken with the written permission of the Conservator of Forests or any officer empowered by him in that behalf, namely,—

the Salween river, between the mouth of the Thaungyin river and Kamawlè.†

*As revised by Revenue Department Notification No. 33 (Forests), dated the 29th July 1884.

Section 51, clause (*a*).

35. The salver shall deliver such timber only to a Forest Officer or other person entitled to collect the same either at the place of salving or at the next station below for which a rate has been fixed under Rule 39.

†As revised by Revenue Department Notification No. 66 (Forests), dated the 27th November 1884.

Collection. Clause (*a*).

36. No person other than a Forest Officer shall collect salved timber without a license, nor except in accordance with the conditions of the license.

37. Such license shall be granted by the officer in charge of the forest division, and shall be in the Form No. XIV or in Form XIV (*a*)‡ given in the Appendix to these rules.

‡As revised by Revenue Department Notification No. 66 (Forests), dated the 27th November 1884.

Clause (*c*).

38. Before delivery of salved timber, the salver shall be entitled to be paid such salvage fees as shall from time to time be fixed by the Chief Commissioner.

Clause (*c*).

39. The amounts to be paid for the salving, collecting, moving, storing, and disposing of timber before delivery under section 50 of the Act shall be according to the following scale :—

Explanation.§—The word "log" means a piece of timber 18 feet or more in length and 4 feet 5 inches or more in girth. Yatthits or undersized logs, namely, logs 18 feet or more in length but less than 4 feet 6 inches in girth, and short pieces or stem-pieces, namely, logs or pieces under 18 feet in length but over 4 feet 6 inches in girth, will be paid for at half the rates payable for a "log," and

§As revised by Revenue Department Notification No. 66 (Forests), dated the 27th November 1884.

pieces less than 18 feet in length and less than 4 feet 6 inches in girth will be paid for at one-fourth the rate payable for a "log."

PEGU CIRCLE.

alving Rates.

For teak timber salved and stored on the banks in the following rivers and creeks :—

Rangoon Division.

	Rs.	A.	P.	
Panhlaing creek				
Mèzali creek				
Bawlè creek	0	8	0	
Hlaing river above Tantabin				
Pegu river above Makyet, Pazundaung ...				per log.
Hlaing river below Tantabin				
Pegu river below Makyet	1	0	0	
Rangoon river above Monkey Point ...				
Rangoon river below Monkey Point ...	2	0	0	

Myanaung and Prome Divisions.

Irrawaddy river	1	0	0	per log.
Bassein river				
Bassein river below Bassein	2	0	0	

Irrawaddy River.

For teak timber brought to depôts—				
If brought to Prome	2	0	0	per log.
If brought to Henzada	3	0	0	
If brought to Rangoon ..	4	0	0	
If brought to Bassein				

Sittang Division.

Sittang river at and above Shwegyin ...	0	8	0	per log.
Sittang river below Shwegyin and above Myitkyo.	0	12	0	
Sittang river below Myitkyo... ..	1	0	0	

When rafts, or portions of rafts, are abandoned by raftsmen, only one-half salvage rate shall be payable.

When raftsmen are assisted in securing such rafts, or portions of rafts, four annas per log shall be paid, or such sum as is considered sufficient in the judgment of the officer in charge of the forest division.

For seashore salvage, according to arrangements sanctioned by the Chief Commissioner.

In the case of woods other than teak, half the abovementioned rates.

Payment which Government is entitled to demand. This includes salvage paid to bank-salvers :—

*(a) Sittang River Stations.**

	Rs.	A.	P.	
For teak timber—				
Above and including Toungoo ...	2	8	0	per log.
From Toungoo to and including Sittang ...	3	8	0	
If brought to Rangoon	6	0	0	

(b) Irrawaddy River.

If brought to Prome	4	0	0	per log.
If brought to Myanaung	5	0	0	
If brought to Henzada or Vandoon or Pantanaw	6	0	0	
If brought to Bassein or Rangoon ...	7	0	0	

(c) Hlaing, Pegu, and Paunglin Rivers.

If brought to Government Depôt, Alôn ...	3	8	0	per log.

*As revised by Revenue Department Notification No. 39 (Forests), dated the 10th August 1884.

Below Monkey Point and on the seashore, such rate as the Chief Commissioner may fix : provided that these rates shall in no instance amount to more than half the value of the timber without previous arrangement with the owners.

In the case of woods other than teak, half the abovementioned rates.

TENASSERIM CIRCLE

Salween Division.†

†As revised by Revenue Department Notification No. 66 (Forests), dated the 27th November 1884.

1.—Above Kado.

For teak timber salved and kept at a kyodan or boom above Kamawlè.	Such rate, not exceeding four annas a log, as may from time to time be fixed by the officer in charge of the Salween division.

For teak timber salved and stored on the bank—

Between Kamawlè and Upper Myainggyi—

	Rs.	A.	P.
Per log	1	0	0
At or below Mibôn—			
Per log	2	0	0

In the case of woods other than teak, half the abovementioned rates. When rafts, or portions of rafts, are carried down from above Gyochaung, such rates shall be paid as may be considered sufficient by the officer in charge of the Salween division.

*As revised by Revenue Department Notification No. 66 (Forests), dated the 27th November 1884.

*2.—Below Kado.**

For timber brought to Battery Point Depôt.

For teak timber—

	Rs.	A.	P.	
(*a*) Between Kado and Kyauktan in the southern channel of the Salween	3	0	0	per log.
Between Kyauktan and Kinchaung in the same channel	5	0	0	
Below Kinchaung in the same channel ...	10	0	0	
(*b*) Between Martaban Pagoda and Martaban Point in the western channel	3	0	0	
Between Martaban Point and Kalwi in the same channel	5	0	0	
Below Kalwi in the same channel ...	10	0	0	

In the case of woods other than teak, half the abovementioned rates.

3.—Timber salved and stored on the banks and not brought to a depôt.

For teak timber—

	Rs.	A.	P.	
In the southern channel between Kado and Kyauktan	1	0	0	per log.
Below Kyauktan in the same channel	2	0	0	
In the western channel below the Martaban Pagoda	1	0	0	
	to			
	3	0	0	

In the case of woods other than teak, half the abovementioned rates.

4.—For rafts, or parts of rafts, of timber carried down by the Martaban side.

For teak timber—

	Rs.	A.	P.	
(*a*) When abandoned by the raftsmen	1	0	0	per log.
(*b*) When not abandoned by the raftsmen, the officer in charge of the forest division shall award to the parties who assisted in salving the raft or rafts such sum as he considers sufficient not exceeding	0	8	0	per log.

In the case of woods other than teak, half the abovementioned rates.

5.—Sea drift timber.

On the seashore, such rates as may be sanctioned by the Chief Commissioner.

40.† Any person infringing Rule 34, 35, or 36 shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to Rs. 500, or with both.

†As revised by Revenue Department Notification No. 50 (Forests), dated the 11th November 1886.

SECTION V.

Rules relating to miscellaneous matters.

41. The powers and duties conferred or imposed by or under the Act on Forest Officers shall be exercised or performed as follows: provided that any Forest Officer may exercise all or any of the powers conferred on a Forest Officer of a lower grade:—

Section 74, clause (a).

Powers and Duties.

Powers and duties.	Officers.
Powers and duties under sections 55, 56, and 78.*	Foresters in charge of a range. Officers in charge of stations established under section 43 (*g*) or notified under section 46 of the Act.
Powers and duties under section 47 ...	The officers in charge of the central timber depôts at Rangoon and Kado, and Sub-Assistant Conservators.
Powers and duties under section 6 ... Powers of a Demarcation Officer under the Burma Boundaries Act, 1880. Powers of a Civil Court to compel the attendance of witnesses and production of documents.	Sub-Assistant Conservators.
Powers and duties under section 66† ...	Deputy Conservators in charge of a forest division and Assistant or Sub-Assistant Conservators in charge of the current duties of the office of a Divisional Officer in the absence of such officer.
Powers and duties under sections 26, 27, 32, 36, and 38. Powers to issue search-warrants under the Code of Criminal Procedure. Power to hold inquiries into forest offences, and in the course of such inquiries to receive and record evidence.	Officers in charge of a forest division.
Powers and duties under sections 24, 46 and 60.	Conservators of Circles.

*As revised by Revenue Department Notification No. 13 (Forests), dated the 15th April 1886.

†Added by Revenue Department Notification No. 217, dated the 9th December 1890.

Clause (*e*).

42. Rewards may be granted to all officers in the public service, not being gazetted officers, and to informers.

43. In case of a conviction of a forest offence, the convicting Magistrate may award to any such officer or informer any portion of the proceeds of the fine or confiscation not exceeding Rs. 100.

44. In the case of the acceptance of a sum of money by way of compensation under the provisions of section 66 of the Act, the Conservator may award to any such officer or informer any portion of such sum not exceeding Rs. 100.

Appendix to the Rules made under the Burma Forest Act, 1881.

FORMS OF LICENSES.

[OBVERSE.]

No. 1.—License to Hunt, Shoot, or Fish within a Forest Reserve.

[FEE, Rs. 10.]

LICENSE to hunt, shoot, or fish within the forest reserve of from the 1st June 189 to the 1st March 189 is granted, under Rule 2 of the Forest Rules, subject to the conditions specified on the reverse,—

(1) To
(2) Of
(3) Age
(4) Height
(5) Distinguishing marks

The day of 189 . } (*Signature of officer granting the license.*)

[REVERSE.]

Conditions subject to which this license is granted.

(1) Pheasants, jungle-fowl, partridges, quails, and hares shall not be hunted or shot during the breeding season from the 1st March to the 1st September.

(2) The poisoning of water and the setting of traps or snares are prohibited.

Breach of any of the conditions of this license will render the holder liable to forfeiture of the license and to the punishment provided in the Forest Act.

*No. II.—Free License for Timber of the reserved kinds.**

*As revised by Revenue Department Notification No. 25 (Forests), dated the 3rd July 1884.

LICENSE to cut, saw, convert, remove, or otherwise utilize tons of timber, being of the reserved kinds, in forest, circle, district, has been granted for months under the Forest Rules to , free of price, to be utilized for , under the following conditions :—

(i) that the timber is used for the construction of buildings for the common benefit of the public, such as churches or chaples, schools, kyaungs, zayats, bridges, &c. ;

(ii) that the timber is *not* used for temporary buildings, weirs, and works of a similar description;

(iii) that the timber is used near the forest from which it is obtained and at a distance from principal rivers, railways, and other lines of communication where such timber can be procured in the open market;

(iv) that no timber granted under this license is removed or utilized without being marked with the Government sale-hammer at such places as may be entered on the reverse;

(v) that breach of any of the above conditions will render the holder liable to forfeiture of the license and confiscation of the timber as well as to the punishment provided in the Forest Act.

---

*No. III.—License to cut, mark, lop, girdle, tap, or injure by Fire or otherwise any teak trees.**

[OBVERSE.]

No. IV.—Trade License for Reserved Trees other than Teak.†

LICENSE to cut, saw, convert, remove, or otherwise utilize trees, of a minimum girth of feet measured at 6 feet from the ground, being trees of the reserved kinds, to the extent of tons, is granted under the Forest Rules to , of , in forest, circle, district, for months from date of license under the following conditions:—

(i) that payment be made at the following rates per ton, or at such lower rates as may be fixed by the Conservator:—

	Rs.
Padauk	25
Thingan—	
in the Yelamaing township of the Amherst district	16
in the rest of the Tenasserim forest circle ...	25
in the Pegu forest circle	25
Other reserved trees	10

at such places and at such times as may be entered on the reverse;

(ii) that the timber extracted under this license shall not be utilized before it has been paid for in full;

(iii) that the timber extracted under this license, if it has not been paid for in full, shall only be sold together with this license;

(iv) that if part of the timber be sold in full payment of the money due thereon, it shall be covered by a removal pass granted by an officer in charge of a revenue station or by a forest ranger, the issue of such pass being entered on the reverse of this license;

(v) that if timber granted under this license is fully paid for, it shall not be sold without being marked with the Government sale-hammer on return of the license to the officer in charge of a revenue station;

* Cancelled by Revenue Department Notification No. 25 (Forests), dated the 3rd July 1884.

†Prescribed by Revenue Department Notification No. 270 (Forests), dated the 20th November 1891.

(vi) that if part of the timber is fully paid for, it shall not be sold without being marked with the Government sale-hammer, the number of logs thus marked being entered on the reverse of the license;

(vii) the breach of any of the above conditions will render the holder liable to forfeiture of the license and confiscation of the timber as well as to the punishment provided in the Forest Act.

License No.
Book No.
Division.

(*Signature of officer granting license.*)

[REVERSE.]

Time of payment
Place or places of payment
Account for tons timber which can be passed under this license

Paid for and marked.	Amount paid.	Granted removal pass No.	Amount transferred.	Total tons.	Total amount.	Place of payment or grant of removal pass and signature of officer.

*No. IV (a).—Purchase Certificate of Timber liable to duty.**

*As revised by Revenue Department Notification No 66 (Forests), dated the 27th November 1884

CERTIFICATE No. is granted to of the purchase of tons of timber of a minimum girth of feet measured at 6 feet from the ground extracted under license No. , book No. , division. is permitted to cut, saw, convert, remove or otherwise utilize the above timber under the following conditions.—

(i) that payment of Rs. is made before it is utilized or before it passes or before 189 ; that before payment has been made in full none of the timber shall be sold without this pass, and that, if fully paid for, it shall not be sold without being marked with the Government sale-hammer against return of this certificate;

(ii) that breach of any of the above conditions will render the holder liable to forfeiture of the license and confiscation of the timber as well as to the punishment provided in the Forest Act and Rules.

[OBVERSE.]

No. V.—Prepaid Trade License for reserved Trees other than Teak.†

†Prescribed by Revenue Department Notification No. 270 (Forests), dated the 20th November 1891.

LICENSE to cut, saw, convert, remove, or otherwise utilize tons of timber of a minimum girth of feet measured at 6 feet from the ground, being of the reserved kinds, in forest, circle, district, has been granted for months under the Forest Rules to on prepayment of Rs. at the following rates :—

	Rs.
Padauk	20
Thingan in the Pegu Forest Circle	20
Other reserved trees	8

or at such lower rates as may be fixed by the Conservator under the following conditions :—

(i) that the timber is not utilized or passed at a Government revenue station or such place or places as may be entered on the reverse without being marked with the Government sale-hammer ;

(ii) that if the timber is sold before it has been possible to affix the Government sale-hammer, the license is sold with it ;

(iii) that if part of the timber is sold before it has been possible to affix the Government sale-hammer, it shall be covered by purchase certificate in Form V (*a*), which shall be entered in the account kept on the reverse of the license ;

(iv) that no timber is cut or converted after the time for which the permit has been granted shall have lapsed ;

(v) that breach of any of the above conditions will render the holder liable to forfeiture of the license and confiscation of the timber as well as to the punishment provided in the Forest Act.

[REVERSE.]

Places where the timber is to be marked with the Government sale-hammer Number of tons to be marked

Account.

Marked number of tons.	Purchase certificate of number of tons transferred.	Total.

*No. V (a).—Purchase Certificate.**

*As revised by Revenue Department Notification No. 66 (Forests), dated the 27th November 1884.

CERTIFICATE No. is granted to for the purchase of tons of timber of a minimum girth of feet measured at 6 feet from the ground covered by prepaid license No. , book No.

division. is permitted to remove or otherwise utilize such timber under the conditions—

(1) that it is marked with the Government sale-hammer before it is utilized and passed through a Government revenue station or the following places against return of this certificate;

(2) that if sold before being thus marked it shall only be sold together with the certificate;

(3) that breach of either of the above conditions will render the holder liable to forfeiture of the license and confiscation of the timber as well as to the punishment provided in the Forest Act and Rules.

---

† Prescribed by Revenue Department Notification No 14, dated the 21st January 1892.

No. VI.—Trade license for unreserved timber.†

LICENSE to cut, saw, convert, remove, or otherwise utilize timber of the unreserved kinds from forest, circle, district, is granted under Rule 8 of the Forest Rules to of for months from date of license under the following conditions:—

(1) that payment is made at such places as may be entered on the reverse at the rate of—

	Rs.	A.	P.	
Dugyi or luza	2	0	0	per log.
Yatthit	1	0	0	per log.
100 small posts	10	0	0	
100 poles below 1 foot girth ...	0	6	0	
Canes—				
In the Tenasserim circle—				
18 feet in length and over	5	0	0	per 10,000.
Under 18 feet in length ..	3	0	0	per 10,000.
In the Pegu circle—				
75 feet in length and over .	0	6	0	each.
Over 25 and under 75 feet in length	6	0	0	per 100.
Not more than 25 feet in length	1	8	0	per 100.
Bamboos	0	6	0	per 100.

(2) that no such timber shall be converted or pass a Government revenue station or such places as may be entered on the reverse of the license, without paying revenue in full;

(3) that this license is not transferable and must be in the possession of the person to whom it was granted or of his agent, when such person or his agent is felling the timber covered by it;

(4) that breach of any of the above conditions will render the holder liable to forfeiture of the license and confiscation of the timber as well as to the punishment provided in the Forest Rules.

---

* Prescribed by Revenue Department Notification No. 14, dated 21st January 1892.

*No. VII.—Prepaid trade license for unreserved timber.**

LICENSE to cut, saw, convert, remove, or otherwise utilize timber of the unreserved kinds from forest,

circle, district, is granted under Rule 8 of the Forest Rules to of for months from date of license on prepayment of Rs. at the following rates:—

	Rs.	A.	P.	
Log, dugyi, luza	1	8	0	
Vatthit	0	12	0	
100 small posts	7	0	0	
100 poles below 1 foot girth ...	0	4	0	
Canes—				
In the Tenasserim circle—				
18 feet in length and over ..	4	0	0	per 10,000.
Under 18 feet in length	2	0	0	
In the Pegu circle—				
75 feet in length and over ..	0	4	0	each.
Over 25 and under 75 feet in length	4	0	0	per 100.
Not more than 25 feet in length ...	1	0	0	
Bamboos	0	4	0	per 100.

under the following conditions:—

(1) that timber, other than canes or bamboos, shall not be sold or converted before it has been marked with the Government sale-hammer at such place or places as may be entered on the reverse of the license;

(2) that when all the timber covered by the license and required under condition (1) to be marked is marked, the license shall be returned;

(3) that if a portion of the timber is marked, an account thereof, signed by the marking officer, shall be kept on the reverse of the license;

(4) that this license is not transferable and must be in the possession of the person to whom it was granted, or of his agent, when such person or his agent is felling the timber covered by it;

(5) that breach of any of the above conditions will render the holder liable to forfeiture of the license and confiscation of the timber as well as to the punishment provided in the Forest Rules.

No. VIII.—Charcoal License.*

* Prescribed by Revenue Department Notification No. 267, dated the 17th November 1891.

LICENSE for making charcoal from unreserved timber has been granted, under Rule 8 of the Forest Rules, to of for a period of months in forest, circle, district, for workmen on payment of Rs. , at the rate of two rupees per workman per month, under the following conditions:—

(i) that no trees below . feet in girth are felled;

(ii) that no trees of reserved kinds or other trees specially mentioned on the reverse are felled;

(iii) that this license is always in possession of a workman employed at the place of working.

Breach of any of the conditions of this license will render the holder liable to forfeiture of the license and to the punishment provided in the Forest Rules.

† Cancelled by Revenue Department Notification No 48 (Forests), dated the 12th February 1892

No. IX.†—Cutch License.

---

‡ Added by Revenue Department Notification No 179, dated the 23rd October 1890.

No. IXA.‡—License for manufacturing the extracts of certain barks.

LICENSE for manufacturing the extract of the bark of the under-mentioned trees, namely:—

Lein;	Tè;
Taukkyan;	Palan;
Panga;	Yôn;

Yinma;

has been granted under Rule 8 of the Forest Rules to of in forest circle district, for cauldrons on payment of Rs. , being at the rate of Rs. 20 per cauldron for the year, under the conditions:—

(i) that every cauldron which contains above 12 and below 24 gallons shall be counted as two cauldrons, and so on for every 12 gallons, or portions of 12 gallons, contained in excess;

(ii) that the year shall count from the 1st June of one year to the 1st June of the following year, but that at whatever date the license is granted it shall expire on the 1st June following;

(iii) that the license is kept with a workman at the place where the extract is manufactnred.

Breach of any of the conditions of this license will render the holder liable to forfeiture of the license and to the punishment provided in the Forest Rules.

---

* Added by Revenue Department Notification No, 215, dated the 23th September 1891

*Form IX B.**

[OBVERSE.]

Fee Rs. 15.

LICENSE to extract shaw fibre under Rule 8 of the Forest Rules has been granted from the 1st November 189 to the 30th April 189 subject to the conditions specified on the reverse—

To
Of
Circle
District
Age
Height
Distinguishing marks
Name and description of forest tract in which shaw fibre may be extracted

The day of 189 . (Signature of officer granting the license.)

[REVERSE].

THE conditions subject to which this license is granted are—

(i) that the license is granted for the term specified subject to a fee of Rs. 15;

(ii) that the license is not transferable;
(iii) that not more than one person shall extract shaw fibre under the authority of the license;
(iv) that the license shall always be kept with the holder when extracting shaw fibre;
(v) that the period for which the license is granted expires on the 30th April following the date on which it has been granted.

Breach of any of the conditions of this license will render the holder liable to forfeiture of the license and to the punishment provided in the Forest Rules.

[OBVERSE.]

No. X.—Wood-oil License.

Fee Rs. 2.

*As revised by Revenue Department Notification No. 133 (Forests), dated the 14th August 1890.

LICENSE to tap wood-oil under Rule 9 of the Forest Rules has been granted from the 1st June 189 to the 31st May 189 , subject to the conditions specified on the reverse—

To
Of
Circle
District
Age
Height
Distinguishing marks
Name and description of forest tract in which wood-oil may be tapped
Number of years for which license is granted

The day of 189 (*Signature of officer granting the license.*)

[REVERSE.]

THE conditions subject to which this license is granted are—

(i) that the license shall be granted for terms of one year, subject to a fixed fee of Rs. 2, or shall be sold by public auction to the highest bidder for terms not exceeding five years;
(ii) that the license is not transferable;
(iii) that the license shall always be kept with the holder when collecting wood-oil;
(iv) that the year expires on the 31st May following the date on which the license has been granted;
(v) that no *kanyin* trees less than 7 feet 6 inches in girth shall be tapped;
(vi) that *kanyin* trees between 6 feet and 9 feet in girth shall be tapped in one place only, from 9 feet to 10 feet 6 inches in two places only, from 10 feet 6 inches and upwards in three places only, in one season;
(vii) that no *kanyin* tree shall be tapped to a depth of more than 8 inches;
(vi) that no *in* or *thitsi* trees below 3 feet in girth shall be tapped.

Breach of any of the conditions of this license will render the holder liable to forfeiture of the license and to the punishment provided in the Forest Rules.

[OBVERSE.]

No. XI.—Resin License.

Fee Rs. 2.

LICENSE to collect resin under Rule 9 of the Forest Rules has been granted from the 1st April 189 to the 31st March 189 , subject to the conditions specified on the reverse—

To
Of
Circle
District
Age
Height
Distinguishing marks

The day of 189 . } (*Signature of officer granting the license.*)

[REVERSE.]

THE conditions subject to which this license is granted are—

(i) that the license is not transferable;

(ii) that the license shall always be kept with the holder when collecting resin;

(iii) that the year expires on the 31st March following the date on which the license has been granted.

Breach of any of the conditions of this license will render the holder liable to forfeiture of the license and to the punishment provided in the Forest Rules.

No. XII (In duplicate).

PASS to collect or move timber under Rule 12 has been granted to—

(1) Owner (in whose name the marks have been registered, or agent, or head raftsman)—

(2) Place of destination—

(3) Description of timber—

(4) Marks—

(5) Number of logs or pieces—

(6) Place at which the pass is to be presented—

(7) Amount paid for this pass—

(8) Time at which timber may be moved—

under the conditions that this pass is presented or delivered at such place or places as may be entered below.

Breach of this condition will render the owner liable to forfeiture of the pass and to the punishment provided in the Forest Rules.

The day of 189 . (*Signature of officer granting the pass.*)

Form No. XIII (In duplicate).*

License to possess and carry marking-hammers under Rule 25.

* Prescribed by Revenue Department Notification No. 36 (Forests), dated the 9th February 1892.

(1) Name
(2) Resident of

is permitted to have in his possession and to carry within the undermentioned limits the marking-hammers or instruments bearing the following impressions :—

And may use them within the following limits :—

The time for which this permission is granted extends from
to

The conditions subject to which this license is granted are—

(i) that the licensee shall at all times have the license in his possession when using the hammer ;

(ii) that the license is not transferable.

But the licensee may make over the license and the hammer to which it refers, *temporarily*, to any other person in his own employ or in the same employ as himself, provided that the name of the transferee and the date of transfer are endorsed on the license.

No. XIV.

LICENSE to collect drift timber under Rule 36 has been granted to of , who is permitted to pay bank salvage and collect the logs bearing the marks entered below within the following limits, from the 189 to the 189 under the following conditions :—

(i) that bank salvage be paid at the rate fixed by the Chief Commissioner ;

(ii) that no timber bearing marks other than those entered in the license shall be collected ;

(iii) that only the person in whose name the license is issued shall collect timber under this license, and that at the time of collection the license shall be in his actual possession ;

(iv) that the timber be brought to, and reported at, such places as may be entered on the reverse.

Breach of any of the conditions of this license will render the holder liable to forfeiture of the license and to the punishment provided in the Forest Rules.

---

*No. XIV (a).**

*As revised by Revenue Department Notification No. 66 (Forests) dated the 27th November 1884.

LICENSE to collect drift timber under Rule 36 on the Salween river at a kyodan or boom has been granted to of subject to the following conditions :—

(i) that the kyodan or boom shall be constructed at ;

(ii) that no timber bearing marks other than those entered below shall be collected,

(iii) that timber for the collection of which another license in Form XIV (*a*) has been granted shall be allowed to drift past the boom without charge;

(iv) that timber in course of removal by holders of licenses in Form XIV or XIV (*a*) shall be allowed to pass the boom free of charge;

(v) that timber not covered by this license or by any other license in Form XIV (*a*) may be salved and shall be made over to the holder of a license in Form XIV on payment of a sum not exceeding annas a log;

(vi) that the boom shall be constructed in such a manner as not to interfere with boat traffic on the river;

(vii) that this license shall cease to be in force on the day of 189 .

Breach of any of the conditions of this license will render the holder liable to forfeiture of the license and the punishment provided under the Forest Rules.

---

§ Added by Revenue Department Notification No 18, dated the 23rd January 1892.

No. XIV (b).—Saw-pit License.§

LICENSE to establish and convert timber at a saw-pit has been granted, under Rule 24 of the Forest Rules, to of for a period of months, under the following conditions:—

(1) that the saw-pit is established within the following boundaries:

(2) that payment is made at the rate of 4 annas for each month during which the license is current;

(3) that this license is not transferable and must be in the possession of the person to whom it was granted, or of his agent, when such person or his agent is using the saw-pit;

(4) that breach of any of the above conditions will render the holder liable to forfeiture of the license as well as to the punishment provided in the Forest Rules.

Special Rules for the Thandaung reserve

No 49 (FORESTS) —*The 8th August 1885* —The following rules for the *Thandaung* forest reserve are made by the Chief Commissioner under the provisions of section 27 of the Burma Forest Act 1881 —

(1) the general rules under the Act relating to reserved forests shall be applicable to the *Thandaung* reserve with the following modifications —

(*a*) the military cantonment at Thandaung forms a portion of this reserve

(*b*) section 25, clauses (*a*) and (*b*), section 26 of the Forest Act, and Rule 4 of the rules thereunder, shall not apply to the area of the said cantonment

(2) Section 25 of the Forest Act, and Rules 1, 2, and 3 of the General Rules, shall be relaxed in the case of soldiers of the said cantonment and under provision of a license issued annually to the Military authorities the Commanding Officer of the said cantonment may permit the soldiers quartered therein to hunt, fish and shoot or to set traps or snares

(3) Grants or leases of land for building purposes will be issued under such orders as the Chief Commissioner may direct, and such land shall be exempt from the provisions of sections 25 and 26 of the Forest Act and Rule 4 of the General Rules

General Rules under the Act for ıkan Division.

No. 12 (FORESTS).—*The 10th January 1883.*—The following rules are made by the Chief Commissioner, British Burma, under the Burma Forest Act, 1881, and shall apply to the districts of the Arakan Commissionership only :—

Section 36.

1. No person shall cut, mark, lop, girdle, tap, or injure, by fire or otherwise, any reserved tree without a license. Whoever cuts, marks, lops, girdles, taps, or injures, by fire or otherwise, any reserved tree in contravention of section 36 of the Act, is punishable with fine which may extend to Rs. 20, or, when the damage resulting from his offence amounts to more than Rs. 10, to double the amount of such damage.

2. The license referred to in Rule 1 shall be granted by the Deputy Commissioner, or by an officer empowered by the Deputy Commissioner in that behalf.

3. Such license shall be subject to the conditions contained in one or other of the Forms I and II given in the Appendix to these rules.

Section 74, clause (*a*).

4. The powers and duties conferred or imposed by or under the Act on Forest Officers shall be exercised or performed as follows :—

Powers and duties.	Officers.
Powers and duties under section 78 ...	Deputy Commissioners and Subdivisional and Township Officers.
Powers and duties under sections 36 and 38	Deputy Commissioners and Subdivisional Officers.
Powers and duties under sections 60 and 66	Deputy Commissioners.

Section 74, clause (*c*).

5. Rewards may be granted to all officers in the public service, not being gazetted officers, and to informers.

6. In case of a conviction of a forest offence, the convicting Magistrate may award to any such officer or informer any portion of the proceeds of the fine or confiscation not exceeding Rs. 100.

7. In the case of the acceptance of a sum of money by way of compensation under the provisions of section 66 of the Act, the Conservator may award to any such officer or informer any portion of such sum not exceeding Rs. 100.

APPENDIX.

FORMS OF LICENSES.*

*As revised by Revenue Department Notification No. 65 (Forests), dated the 20th October 1883.

No. I.—*Free License for Timber of the Reserved Kinds.*

LICENSE to cut, saw, convert, remove, or otherwise utilize—

	No.
Dugyis or luzars, 4 feet and upwards in girth	...
Yatthifs. 3 feet to 4 feet 5 inches in girth	...
Posts, under 3 feet in girth ...	...

of timber, being of the reserved kinds in forest circle, district, has been granted for months, under Rule 3 of the Arakan Forest Rules, to free of price, to be utilized for under the following conditions:—

(i) that the timber is for use within 5 miles of the place where it is cut for the construction of buildings for the common benefit of the public, such as churches or chapels, schools, kyaungs, zayats, bridges or for *bonâ fide* agricultural, fishery, or domestic purposes, and not for sale;

(ii) that this license does not extend to any tree having a less girth than 2 feet 6 inches at 6 feet from the ground;

(iii) that breach of either of the above conditions will render the holder liable to forfeiture of the license and confiscation of the timber as well as to the punishment provided in the Forest Act.

No. II.—*Trade License for Timber of the Reserved Kinds.*

LICENSE to cut, saw, convert, and remove, or otherwise utilize trees, being trees of the reserved kinds, of a minimum girth of 4 feet 6 inches at 6 feet from the ground, to the extent of tons, is granted, under Rule 3 of the Arakan Forest Rules, to of in forest circle, district, for months from date of license, under the following conditions:—

(i) that payments be made to the Deputy Commissioner at the rate of Rs 3 per ton if prepaid, or Rs 5 per ton if paid in arrears;

(ii) that the timber extracted under the license shall not be utilized or sold before it has been paid for in full;

(iii) that if timber granted under this license is fully paid for, it shall not be exported from the district without being marked with the Government sale-hammer on return of the license to the Deputy Commissioner or other officer empowered under Rule 2;

(iv) that breach of any of the above conditions will render the holder liable to forfeiture of the license and confiscation of the timber as well as to the punishment provided in the Forest Act.

License No.
Book No.
Division.

(*Signature of officer granting license.*)

Special Rules for Village Forests in the Thayetmyo District.

No. 51 (FORESTS).—*The 4th April 1890.*—In exercise of the power conferred by section 33 of the Burma Forest Act, 1891, the Chief Commissioner is pleased to sanction the following rules for the constitution and management of village forests in the Thayetmyo district :—

Rules for the constitution and management of Village Forests in the Thayetmyo district.

WHEREAS it is the intention of the Chief Commissioner to constitute from time to time, under section 31 of the Burma Forest Act, 1881, village forests in the Thayetmyo district, it is hereby declared that the following rules shall apply to all village forests in the said district when constituted as aforesaid :—

1. Immediately upon the publication of any notification constituting a village forest, the same shall be placed under the control of the Deputy Commissioner of the district, and shall by him be managed as hereafter provided and subject to the orders of the Commissioner in the interests of the village community for the benefit of which it has been constituted.

2. No right of any description shall be acquired in or over a village forest except under the following rules.

3. The general charge of a village forest shall be placed in the hands of a village committee consisting of not less than three or more than five leading members (lugyis) of the village community for which the forest has been constituted. The members of this committee shall be appointed by the Deputy Commissioner and may be removed from office by him for misconduct or other sufficient cause. Subject to the directions which may from time to time be issued by the Deputy Commissioner it will be the duty of the village committee—

(i) to attend generally to the conservation of the forest and specially to the production and growth of cutch trees therein ;

(ii) to determine in each year what cutch trees may be felled for the purpose of manufacturing cutch or otherwise ;

(iii) to arrange for the distribution of such cutch trees and of the forest produce within the forest generally amongst the members of the village community entitled thereto ;

(iv) to settle all disputes which may arise between members of the village community in respect of the forest ;

(v) to preserve the boundary marks of the forest in good condition.

4. Subject to any rules which may from time to time be issued by the Deputy Commissioner and to the general control of the village committee, every member of the village community for the benefit of which a village forest has been constituted shall have full right within such village forest—

(i) to cut cutch trees and manufacture cutch in accordance with the terms of a license granted to him under the Burma Forest Act or the rules made thereunder ;

(ii) to extract reserved forest produce in accordance with the terms of a written permit granted to him by the Deputy Commissioner with the previous sanction of the Commissioner;

and without any license or permit—

(iii) to pasture cattle;

(iv) to extract forest produce (not being of the reserved kinds of wood or cutch);

(v) to burn lime or charcoal, or subject forest produce (not being cutch or other reserved kinds of wood) to any manufacturing process when the product of such process is required;

(vi) to enter, hunt, fish, set traps or snares, and keep, carry, or kindle fire.

5. The provisions of sections 25, 26, and 27 of the Burma Forest Act, 1881, shall apply to the village forests referred to in these rules.

6 The Commissioner, Deputy Commissioner, Subdivisional Officer, Township Officer, thugyi, and each member of a village committee shall be deemed to be Forest Officers under the Burma Forest Act, 1881, for the purposes of these rules.

7. Every member of a village committee shall report, through the Subdivisional Officer, to the Deputy Commissioner any infringement of these rules which may come to his notice.

8. The thugyi of every circle in which a village forest, or part of a village forest, is situated shall keep a map or plan of that village forest, and all persons shall at all reasonable times be entitled to inspect the same free of cost.

9. Any person feeling aggrieved by anything done, or any proceedings taken, or orders passed, by a village committee, or by any Forest Officer in connection with a village forest, may apply, in the case of the village committee or any officer other than the Deputy Commissioner, to the Deputy Commissioner, and in the case of the Deputy Commissioner to the Commissioner, and the orders passed on such application shall be final.

10. The Chief Commissioner may, by special order to be notified in the *Burma Gazette*, close to use for any period not exceeding five years the whole or any portion of a village forest.

Departmental Directions for the Guidance of Forest Officers and for the Information of the Public.

Departmental Directions relating to Reserves.

Encamping in a reserve restricted.

1. All persons travelling on roads passing through or along the boundary of any forest reserve shall camp only at such places as may be cleared and set apart for the purpose of camping-grounds by the Forest Officer, who shall publish a list of such grounds in the vicinity of the reserve. Camping at other localities than those so set apart is forbidden. All persons camping shall light any fires they may make for cooking or other purposes in such a way as not to endanger the forest reserve or the buildings or property on the camping-ground and they shall extinguish all such fires before leaving the camping-ground.

Carriage of torches through reserve prohibited.

2. The carriage of burning-wood, firebrands, or uncovered torches, lighted cheroots, and pipes, through or along the boundary of any reserved forest is prohibited during the months of February to May inclusive.

Departmental Directions relating to the disposal of Government Timber.

Government timber sales.

3. The disposal of Government timber shall be as follows :—

(*a*) By public sale. At such sales one portion of the payment, not less than 20 per cent. on the amount, shall be made on the day of sale, either in cash, Government paper, or approved securities, and the balance within a term not exceeding three months after the day of sale. No timber shall be delivered before payment in full shall have been received, but the timber shall be at the risk of the purchaser from the moment it is knocked down.

(*b*) By private sale on tender approved of by the Conservator of Forests or the Chief Forest Officer at the station or in the division where the sale is held.

Private sales shall not be effected at rates below the average rates realized at the public sales of the preceding years unless by special order from the Conservator of Forests.

No timber shall be delivered on account of any sale unless and until the full amount of the purchase-money is paid.

(*c*) By conditional sale, with the approval of the Conservator of Forests, of trees or timber standing or lying in the forests. Such trees and timber shall remain the property of Government until the full amount of purchase-money is adjusted. The rights of the purchaser under the sale shall hold good for such period as may be mentioned in the notice or order regarding the sale. Trees and timber not brought out of the forest within the time fixed, whether paid for or not, shall revert to Government.

(*d*)* Licenses to collect and remove wood-oil may be granted either under a fixed fee of Rs. 2 for each person for terms of one year, or be sold by public auction to the highest bidder for certain defined tracts for periods not exceeding five years.

* Added by Revenue Department Notification No 85 (Forests), dated the 12th June 1890.

Departmental Directions relating to hammer-marks and drift timber.

Copies of registered marks to be kept at different offices.

4. Property-marks for timber imported by the Salween and its tributaries shall be registered at the Kado forest office; for timber imported by the Irrawaddy at the Prome office, copies being kept at the Myanaung and Rangoon agency offices; for timber imported by the Sittang at the Toungoo forest office, copies being kept at the Shwegyin and Rangoon agency offices; and in all other cases at the headquarters of the division to which the control of the river by which the timber is conveyed pertains, copies being sent to the headquarters of the division to which the timber will be ultimately taken. Upon any new mark being registered on payment of a fee of Rs. 100, a copy of the mark shall, as soon as practicable, be cut on wood of a fitting size for re-production if necessary on any notices which may be published relating thereto. No extra fee beyond the Rs. 100 paid for registering the mark shall be charged for preparing such stamp.

5. Hammer-marks used by Government contractors shall be regarded as Government property-marks and their registration shall be free.

6. When all money due to Government in respect of timber has been paid in full, the timber shall be marked with the Government hammer indicating such payment. All foreign timber shall be marked at the frontier station with an import hammer-mark.

Deposit of waif timber.

7. Drift and waif timber which has been collected by order of the officer in charge of the forest division shall in all cases be taken to one of the timber stations notified under Rule 18 of the Forest Rules and there detained till its disposal is determined. In the case of timber carried down to the seashore beyond control, the Conservator of Forests may direct the local sale of such timber after it has been salved.

Collecting licenses restricted on certain rivers.

8. Collecting licenses to owners will not as a rule be granted below Prome on the Irrawaddy, below Toungoo on the Sittang, below the mouth of the Gyo stream on the Salween, below the mouth of the Wingaw stream on the Ataran. Collection below these points shall be arranged by the Forest Department, and the timber collected shall be treated as drift timber.

On the Salween river, at the season of the year when the collecting of timber is effected by the aid of ropes stretched across the river, persons may collect their own timber behind the ropes without license.

Publication of lists of drift timber.

9. At the stations of Rangoon, Prome, Toungoo, and Moulmein, and at such other stations as the Conservator of Forests may direct, notices shall be published on the last day of every month stating the number

and description of pieces of drift timber brought into the station during the month or collected on or near the seashore.

Claims to drift timber.

10. All claims to timber notified under the last preceding direction shall be submitted personally or by duly authorized agents, with full particulars of the timber claimed and the marks it bears.

Liability for salvage and other dues.

11. Timber awarded to claimants shall not be delivered until redeemed by payment of all salvage-money at the rates prescribed in Rule 39 of the Forest Rules in addition to all other money payable or other charges which may have been incurred on account thereof.

Such timber, if not removed from the stations notified under Rule 18 within one month after redemption, shall be liable to a storage rate of two annas per log for a month or any part of a month.

Directions for the management of Kado Timber-station.

12 The land forming the Kado timber-station shall be demarcated and a plan thereof shall be kept at the Kado office, and the station so formed shall be in charge of the officer in charge of the Salween division

13. Within the station no rights of occupancy shall be granted by the officer in charge of the Salween division except as hereinafter mentioned.

14. The portion of the station bordering the river and creeks therein shall be divided into as many wharves as to the officer in charge of the Salween division seems advisable. Such wharves shall be shown on the station plan separately numbered, and on each wharf so formed and numbered a post and board shall be erected showing in English and Burmese numerals the number of the wharf.

15. The wharves shall be either public or private, and each occupied wharf shall be in charge of a registered watchman. Such registered watchman shall keep a book in which shall be entered daily particulars of all timber arriving at, and despatched from, the wharf under his charge (*See* Form I attached to these directions).

16. At the public wharves wharfage shall be charged at such rate and in such manner as to the officer in charge of the Salween division seems right; and at such wharves importers of timber shall drag and place their timber in such positions as the officer in charge of the Kado subdivision directs.

*As revised by Revenue Department Notification No. 61 (Forests), dated the 27th September 1883.

17. *Private wharves may be allotted to timber traders by the officer in charge of the Salween division on the following conditions and on such other conditions as to the said officer may seem right, namely,—

(*a*) that the wharf shall be used for the storage of timber only;

(*b*) that the term of occupancy shall not exceed one year;

(*c*) that all timber stored at the wharf shall be secured and kept in safety by the owner thereof, no responsibility in respect thereto being undertaken by the officer in charge of the Salween division;

(*d*) that the occupant of the wharf shall maintain a watchman in charge of the wharf, and that the watching rate to be

charged by the said watchman in respect of timber belonging to any person not being the occupant of a wharf shall not exceed such maximum rate as may from time to time be fixed by the Forest Officer;

(*e*) that the said watchman, although paid by the occupant, shall be under the control of the said officer in all matters relating to the storage of the timber and the due enforcement of the rules in force at the Kado timber station; that the said officer shall have the right to refuse his consent, for reasons to be recorded by him in writing, to the appointment of any watchman not approved by him and the right to expel any watchman from the station for disobedience of orders or misbehaviour; and that the watchman's name shall be registered;

(*f*) that the occupant shall maintain the board and post showing the number of the wharf at his own expense in good condition;

(*g*) that if the occupant breaks any of the conditions on which he is allowed to occupy the wharf, the license to occupy shall at once cease and determine, and on such determination all his timber stored on the wharf shall become liable for wharfage at the rate laid down by the said officer for public wharves (*see* Form II attached to these directions).

18. At the upper and lower limits of the station there shall be placed guards, and it shall be the duty of such guards to count every log or piece of timber that enters and leaves the station respectively and to keep a book in which the number of logs or pieces so coming in and going out is entered daily.

19. No timber shall be brought into the station or taken out thereof nor moved within the station at any time between the hours of sunset and sunrise, unless the permission of the officer in charge of the Kado subdivision has been first obtained in writing

20. All timber brought down the Salween river shall be placed on arrival at the station in charge of the officer in charge of the Salween division.

21. Timber arriving at the station shall be at once taken to a wharf and delivered to the registered watchman in charge of the wharf.

22. The watchman in charge of a wharf shall, on receiving the timber, make a receipt in triplicate for the same, one portion being kept by himself, a second being sent to the Kado office, and the third being given to the person in charge of the timber (*see* Form III attached to these directions).

23. The importer of the timber or his agent shall, within seven days after the timber has been delivered to the said watchman, report its arrival at the station office, and to such report shall be attached the receipt of the watchman (*see* Form IV attached to these directions).

* Added by Revenue Department Notification No 171, dated the 12th August 1891.

23 (*a*). * If at any time after the report of arrival of any timber at Kado, the depôt peons or other Government official have cause to suspect that any raft contains or is made up of stolen, defaced, or supermarked timber, or timber otherwise unlawfully obtained, a report of the fact shall be made at once to the Subdivisional Officer in charge of Kado or in his absence to the head clerk, Kado station office, who will further examine into the matter and, if in his opinion the grounds for suspecting the logs be sufficient, he shall cause such raft or portion of raft suspected to be broken up and the logs dragged on shore for further examination. The expense of this examination will be borne by the importer if the raft is proved to have consisted in whole or in part of stolen, defaced, or supermarked logs; otherwise it will be borne by the Government.

24. A register of arrival-reports shall be kept at the Kado office, and in such register a separate serial number shall be given to each log or piece of timber entered in each arrival-report (*see* Form V attached to these directions).

25. Each log or piece of timber shall be marked with the number by which it is distinguished in the register of arrival-reports

26. The arrival-reports shall be open to the inspection of the public at the Kado office for at least seven days after their entry in the register, and copies of the arrival-reports shall be daily forwarded to the Moulmein Forest Office and shall there also be open to the inspection of the public for at least seven days. The officer in charge of the Salween division may, on application and after enquiry, extend the period during which any particular arrival-report shall remain open to inspection.

27. After the expiry of the period during which the arrival-report has been ordered to remain open to inspection, a warrant or teinza for the timber covered by the arrival-report shall be granted to the importer of the timber signed by the officer-in-charge of the Salween division or of the Kado subdivision, and sealed with the seal of the Forest Office (*see* Form VI attached to these directions).

28. Provided that no such warrant or teinza shall be granted to the importer if an order of a competent Court has been received at the Kado office prohibiting the delivery to the importer of the goods covered by the arrival-report.

29. After the issue of the warrant or *teinza* the register of arrival-reports shall be signed by the officer in charge of the Salween division or of the Kado subdivision in the column left for the purpose opposite to the entries of the timber for which the warrant or teinza is granted.

30. An extract from the register of arrival-reports may be granted on application to the Forest Office at Kado and on payment of a fee of eight annas.

31. After all money payable to Government in respect of any timber lying at the Kado station has been paid the timber shall be marked as passed.

32. After the pass hammer-mark has been applied to any timber a pass to remove the timber shall be granted to the importer or to any person to whom he has transferred the warrant or *teinza* on

delivering up the warrant or *teinaa* (*see* Form VII attached to these directions).

33. No person shall remove, or attempt to remove, any timber from the Kado timber-station unless it is covered by a pass.

34. The pass shall be delivered up to the guard at the exit of the station after a receipt thereon for the timber covered by the pass has been signed by the person in charge of the timber, and on such delivery of the receipt the exit guard shall allow the timber to pass out.

35. *Persons who wish to transact their business at the Kado station through agents should have their powers-of-attorney attested and registered by the Forest Officer.

*As revised by Revenue Department Notification No 21 (Forests), dated the 24th January 1889.

FORM NO. I.—KADO TIMBER STATION.

Watchman's Daily Arrival and Despatch Book, Wharf No.

Date of arrival of timber.	Name of the person who delivered the timber.	Number of logs.	Marks.	Receipt number.	Date of removal to Moulmein.

FORM NO. II.—KADO TIMBER STATION.*

License for Occupation of Wharf No.

* As revised by Revenue Department Notification No 61, dated the 27th September 1883.

THE officer in charge of the Salween division hereby agrees with , timber trader, residing at (*or carrying on business by his agent*, , *residing at*), that the said may, from the day of 189 to the 31st day of March 189 , use and occupy the wharf marked No. on the Kado station plan on the terms and conditions following subject to the immediate forfeiture of such right of use and occupation on breach of any of such terms and conditions.

Eight-anna stamp.

Terms and Conditions.

1. The wharf shall be used and occupied for storage of timber only, provided that such use and occupation shall be taken to include the erection and maintenance of any houses or buildings necessary or convenient for such purpose.

2. All timber stored at the wharf shall be secured and kept in safety by the owner thereof, no responsibility in respect thereto being undertaken by the officer in charge of the Salween division.

3. A watchman shall be placed in charge of the wharf, who shall be permitted to charge watching rates for timber belonging to any person not being the occupant of a wharf at a rate not exceeding——.

4. Such watchman, although paid by the occupant, shall be under the control of the officer in charge of Salween division in all matters relating to the storage of the timber and the due enforcement of the rules in force at the Kado timber-station. The said officer shall have the right to refuse his consent, for reasons to be recorded by him in writing, to the appointment of any watchman not approved by him, and the right to expel any watchman from the station for disobedience of orders or misbehaviour, and the watchman's name shall be registered.

5. The occupant shall maintain the board and post, showing the number of the wharf, at his own expense in good condition.

6. The occupant shall, if any of these terms and conditions be broken, pay wharfage for all his timber lying at the wharf at the rate laid down by the officer in charge of the Salween division for public wharves.

FORM NO. III.—KADO TIMBER STATION.

Wharf No.		*Receipt No.*		*Wharf No.*		*Receipt No.*		*Wharf No.*		*Receipt No*	
Number of rafts.	Number of logs.	Description of hammer-marks.	Watchman's signature.	Number of rafts.	Number of logs.	Description of hammer-marks.	Watchman's signature.	Number of rafts.	Number of logs.	Description of hammer-marks.	Watchman's signature.

FORM NO. IV.—KADO TIMBER STATION.

Report of the Arrival of Timber.—No.

DESCRIPTION OF TIMBER.													
Full-sized logs.	Under-sized logs.	Stem-pieces.	Crooks.	Tonnage.	Name of forest.	Name of district.	Timber marks.	Register number of property-mark certificate.	Register number of power-of-attorney.	Wharf No.	Watchman's receipt No.	Salving permit No.	Remarks.

The *189* *or* (*Sd.*)
by his Attorney.

* We, the undersigned depôt peons, beg to report that, after having examined the timber noted above to the best of our ability, we have found the number of logs to agree with those mentioned in this report and have numbered the same. We have further found that the marks on the logs, so far as we have been able to see those marks, correspond with the marks mentioned in this report.

* As revised by Revenue Department Notification No. 171, dated the 12th August 1891.

The *189*

Depôt peons.

FORM NO. V.—KADO TIMBER STATION.

Register of Timber Arrival Reports.

Date.	Name of persons claiming to be the owner.	Agent.	Register number.		Full-sized logs.	Under-sized logs.	Ship-crooks.	Boat-crooks.	Stem-pieces.	Where produced.	Arrival-report number.	Property-mark.	No. of wharf.	No. of watchman's receipt.	Date of watchman's receipt.	Signature of officer granting warrant or teinza.	Assessed value per ton or per log.	Rate of duty.	Total amount of duty.	Date and number of pass.	Date of return of pass.	Remarks.
			From	To																		

FORM NO. VI.—KADO TIMBER STATION.*

Warrant or Teinga No.

I DO hereby certify that. has reported and registered the arrival at the Kado timber-station of the undermentioned logs of timber as his own (or as 's) property, which goods, on production and demand, and after payment of all wharfage, incidental charges, and Government demands due and payable thereon, I engage to deliver to the said or to his order.

Registered mark.	Registered number.	Where lying.

Wharfage, incidental charges, and Government demands payable, Rs.

The day of 189

(Sd.)

L. S. *Officer in charge of Salween division or Officer in charge of Kado subdivision.*

[OBVERSE.]

FORM NO. VII.—KADO TIMBER STATION.

Pass to remove Duty-paid Timber.

PASS NO.

is permitted to remove the following timber from wharf No. on which all Government demands have been paid:—

No. of logs
Stamped

KADO OFFICE:
The day of 189 . } *Officer in charge of Kado subdivision.*

N.B.—This document must be given, after the receipt on the reverse has been signed, to the exit guard, who will allow the timber to pass and return the pass to this office.

[REVERSE.]

I HAVE received and removed from the Kado timber-station the property mentioned in this pass.

Signature of raftsman.

G. B. C. P. O.—No. 3400, B. S., 11-3-92—700.